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HANSARD'S
PARLIAMENTARY
DEBATES:

Third Series;

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

6° VICTORIÆ, 1843.

VOL. LXVI.

COMPRISING THE PERIOD FROM

THE SECOND DAY OF FEBRUARY,

TO

THE TWENTY-SEVENTH DAY OF FEBRUARY, 1843.

First Volume of the Session.

LONDON:

THOMAS CURSON HANSARD, PATERNOSTER ROW;

LONGMAN AND CO.; C. DOLMAN; J. RODWELL; J. BOOTH; HATCHARD AND SON; J. RIDGWAY; CALKIN AND BUDD; R. H. EVANS; J. BIGG AND SON; J. BAIN; J. M. RICHARDSON; P. RICHARDSON; ALLEN AND CO.; AND R. BALDWIN.

1843.

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Lord Chancellor	Lord Lyndhurst.
President of the Council	Lord Wharncliffe.
First Lord of the Admiralty	Earl of Haddington.
Commander in Chief	Duke of Wellington.
Lord Privy Seal	Duke of Buccleuch and Queensberry.
Home Secretary	Right Hon. Sir James Graham, Bart.
Foreign Secretary	Earl of Aberdeen.
Colonial Secretary	Lord Stanley.
President of the Board of Control	Lord Fitzgerald.
Secretary-at-War	Right Hon. Sir Henry Hardinge.
President of the Board of Trade	Earl of Ripon.
Chancellor of the Exchequer	Right Hon. Henry Goulburn.
Paymaster-General	Right Hon. Sir Edward Knatchbull, Bart.

NOT OF THE CABINET.

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Chancellor of the Duchy of Lancaster	Lord Granville Somerset.
First Commissioner of Land Revenue	Earl of Lincoln.
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Solicitor-General	Sir William Webb Follett.

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Lord Chancellor	Right Hon. Sir Edward Sugden.
Chief Secretary	Lord Eliot.
Attorney-General	Right Hon. Thomas Berry Crusack Smith.
Solicitor-General	Richard Wilson Greene.

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Solicitor-General	Adam Anderson, Esq.

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Lord Steward	Earl of Liverpool.
Lord Chamberlain	Earl De Lawarr.
Master of the Horse	Earl of Jersey.

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL,

In the *Third Session* of the *Fourteenth Parliament* of the United Kingdom of *Great Britain* and *Ireland.*

6° VICTORIÆ 1843.

His Royal Highness The Prince of Wales.
His Royal Highness Ernest Augustus Duke of Cumberland and Teviotdale. *(King of Hanover.)*
His Royal Highness Augustus Frederick Duke of Sussex.
His Royal Highness Adolphus Frederick Duke of Cambridge.

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John Singleton Lord Lyndhurst, *Lord Chancellor.*
Edward Archbishop of York.
Richard Archbishop of Dublin and Cashell.
James Archibald Lord Wharncliffe, *Lord President of the Council.*
Walter Francis Earl of Doncaster (*Duke of Buccleuch and Queensberry*), *Lord Privy Seal.*

Henry Charles Duke of Norfolk, *Earl Marshal of England.*
Edward Adolphus Duke of Somerset.
Charles Duke of Richmond.
George Henry Duke of Grafton.
Henry Duke of Beaufort.
William Aubrey de Vere Duke of St. Alban's.
Francis Godolphin D'Arcy Duke of Leeds.
Francis Duke of Bedford.
William Spencer Duke of Devonshire.
George Duke of Marlborough.
John Henry Duke of Rutland.
Alexander Duke of Brandon. *(Duke of Hamilton.)*
William Henry Cavendish Duke of Portland.
William Duke of Manchester.
Charles Duke of Dorset.
Henry Pelham Duke of Newcastle.
Hugh Duke of Northumberland.
Arthur Duke of Wellington.
Richard Plantagenet Duke of Buckingham and Chandos.
George Granville Duke of Sutherland.
Henry Duke of Cleveland.

Charles Ingoldsby Marquess of Winchester.
George Marquess of Tweeddale. *(Elected for Scotland.)*
Henry Marquess of Lansdowne.
George Ferrars Marquess Townshend.
James Brownlow William Marquess of Salisbury.
John Alexander Marquess of Bath.
James Marquess of Abercorn.
Richard Marquess of Hertford.
John Marquess of Bute.
William Marquess of Thomond. *(Lord Tadcaster) (Elected for Ireland.)*
Brownlow Marquess of Exeter.

SPENCER JOSHUA ALWYNE Marquess of NORTHAMPTON.

GEORGE CHARLES Marquess CAMDEN.

HENRY WILLIAM Marq. of ANGLESEY.

GEORGE HORATIO Marquess of CHOLMONDELEY.

GEORGE AUGUSTUS FRANCIS Marquess of HASTINGS.

CHARLES Marquess of AILESBURY.

GEORGE THOMAS JOHN Marquess of WESTMEATH. *(Elected for Ireland.)*

FREDERICK WILLIAM Marquess of BRISTOL.

ARCHIBALD Marquess of AILSA.

JOHN Marquess of BREADALBANE.

ROBERT Marquess of WESTMINSTER.

CONSTANTINE HENRY Marquess of NORMANBY.

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GEORGE JOHN Earl DE LAWARR, *Lord Chamberlain of the Household.*

JOHN Earl of SHREWSBURY.

EDWARD Earl of DERBY.

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ROBERT HENRY Earl of PEMBROKE and MONTGOMERY.

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THOMAS Earl of SUFFOLK and BERKSHIRE.

WILLIAM BASIL PERCY Earl of DENBIGH.

JOHN Earl of WESTMORELAND.

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GEORGE HARRY Earl of STAMFORD and WARRINGTON.

GEORGE WILLIAM Earl of WINCHILSEA and NOTTINGHAM.

GEORGE Earl of CHESTERFIELD.

HENRY Earl of THANET.

JOHN WILLIAM Earl of SANDWICH.

ARTHUR ALGERNON Earl of ESSEX.

JAMES THOMAS Earl of CARDIGAN.

GEORGE Earl of CARLISLE.

WALTER FRANCIS Earl of DONCASTER. *(Duke of Buccleuch and Queensberry.)* (*In another place as Lord Privy Seal.*)

CROPLEY Earl of SHAFTESBURY.

———— Earl of BERKELEY.

MONTAGU Earl of ABINGDON.

HENRY Earl of PLYMOUTH.

JOHN SAVILE Earl of SCARBOROUGH.

WILLIAM CHARLES Earl of ALBEMARLE.

GEORGE WILLIAM Earl of COVENTRY.

GEORGE Earl of JERSEY.

JOHN Earl POULETT.

GEORGE SHOLTO Earl of MORTON. *(Elected for Scotland.)*

COSPATRICK ALEXANDER Earl of HOME. *(Elected for Scotland.)*

DAVID Earl of AIRLIE. (*Elected for Scotland.)*

DAVID Earl of LEVEN and MELVILLE. (*Elected for Scotland.*)

DUNBAR JAMES Earl of SELKIRK. *(Elected for Scotland.*)

THOMAS JOHN Earl of ORKNEY. (*Elected for Scotland.*)

FRANCIS WILLIAM Earl of SEAFIELD. (*Elected for Scotland.*)

EDWARD Earl of OXFORD and Earl MORTIMER.

WASHINGTON-SEWALLIS Earl FERRERS.

WILLIAM Earl of DARTMOUTH.

CHAS. AUGUSTUS Earl of TANKERVILLE.

HENEAGE Earl of AYLESFORD.

GEORGE AUGUSTUS Earl COWPER.

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William Earl of Radnor.

John Charles Earl Spencer.

Henry George Earl Bathurst.

Arthur Blundell Sandys Trumbull Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

Henry Earl of Abergavenny.

Charles Chetwynd Earl Talbot.

John Earl Strange. (*Duke of Athol.*)

Ernest Augustus Earl of Mount Edgecumbe.

Hugh Earl Fortescue.

Edward Earl of Digby.

George Earl of Beverley.

William David Earl of Mansfield.

Henry John George Earl of Carnarvon.

Charles Cecil Cope Earl of Liverpool. (*In another place as Lord Steward of the Household.*)

George Earl Cadogan.

James Howard Earl of Malmesbury.

Francis William Earl of Charlemont. (*Lord Charlemont.*) (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

John Earl of Mayo. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

James Earl of Bandon. (*Elected for Ireland.*)

James Duprè, Earl of Caledon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edmund Henry Earl of Limerick. (*Lord Foxford.*) (*Elected for Ireland.*)

Edward Earl of Powis.

Horatio Earl Nelson.

Archibald Earl of Gosford. (*Lord Worlingham.*) (*Elected for Ireland.*)

Charles William Earl of Charleville. (*Elected for Ireland.*)

Charles Herbert Earl Manvers.

Horatio Earl of Orford.

Charles Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Earl of Harewood.

Gilbert Earl of Minto.

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William Fitzhardinge Earl Fitzhardinge.

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Henry Viscount Bolingbroke and St. John.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. *(Duke of Leinster.)*
Henry Viscount Maynard.
John Robert Viscount Sydney.
Samuel Viscount Hood.
John Viscount De Vesci. *(Elected for Ireland.)*
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Henry Viscount Sidmouth.
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John Bishop of Lincoln.
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Gregory William Lord Saye and Sele.
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George Henry Lord Teynham.
George William Lord Stafford.
George Anson Lord Byron.
William Lord Ward.
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Alexander George Lord Saltoun. *(Elected for Scotland.)*
Charles Lord Sinclair. *(Elected for Scotland.)*
John Lord Colville of Culross. *(Elected for Scotland.)*
Eric Lord Reay. *(Elected for Scotland.)*
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George John Lord Sondes.
Nathaniel Lord Scarsdale.
George Lord Boston.
Henry Edward Lord Holland.
George James Lord Lovel and Holland. *(Earl of Egmont.)*
George John Lord Vernon.
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Edward William Lord Hawke.
Thomas Henry Lord Foley.
George Talbot Lord Dynevor.
Thomas Lord Walsingham.
William Lord Bagot.
Charles Lord Southampton.
Fletcher Lord Grantley.
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Cadwallader Davis Lord Blayney. *(Elected for Ireland.)*
John Lord Carbery. *(Elected for Ireland.)*
Henry Lord Farnham. *(Elected for Ireland.)*
Robert Lord Clonbrock. *(Elected for Ireland.)*
Edward Lord Crofton. *(Elected for Ireland).*
Henry Lord Dunalley. *(Elected for Ireland.)*
Henry Francis Seymour Lord Moore. *(Marquess of Drogheda.)*
John Loftus Lord Loftus. *(Marquess of Ely.)*

John Lord Carysfort. *(Earl of Carysfort.)*

William Lord Alvanley.

George Lord Abercromby.

John Thomas Lord Redesdale.

George Lord Rivers.

Edward Lord Ellenborough.

Arthur Moyses William Lord Sandys.

George Augustus Frederick Chas. Lord Sheffield. *(Earl of Sheffield.)*

David Montagu Lord Erskine.

Howe Peter Lord Mont Eagle. *(Marquess of Sligo.)*

Archibald William Lord Ardrossan. *(Earl of Eglintoun.)*

James Lord Lauderdale. *(Earl of Lauderdale.)*

George Arthur Hastings Lord Granard. *(Earl of Granard.)*

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Lord Hopetoun and Niddry. *(Earl of Hopetoun.)*

Richard Lord Castlemaine. (*Elected for Ireland.*)

Thomas Lord Lynedoch.

James Andrew Lord Dalhousie. *(Earl of Dalhousie.)*

George Lord Meldrum. *(Marquess of Huntly.)*

George Lord Ross. *(Earl of Glasgow.)*

William Willoughby Lord Grinstead. *(Earl of Enniskillen.)*

Edmund Henry Lord Foxford. *(In another place as Earl of Limerick.)*

Francis Almeric Lord Churchill.

William Lord Melbourne. *(Viscount Melbourne.)*

William George Lord Harris.

Algernon Lord Prudhoe.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. *(Marquess of Lothian.)*

Francis Nathaniel Lord Minster. *(Marquess Conyngham.)*

John Lord Ormonde. *(Marquess of Ormonde.)*

Francis Lord Wemyss (*Earl of Wemyss.*)

Robert Lord Clanbrassil. (*Earl of Roden.*)

Robert Lord Kingston. *(Earl of Kingston.)*

Edward Michael Lord Silchester. (*Earl of Longford.*)

George Augustus Frederick John Lord Glenlyon.

William Lord Maryborough. *(Earl of Mornington.)*

John Lord Oriel. *(Viscount Ferrard.)*

Thomas Henry Lord Ravensworth.

Thomas Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Ulysses Lord Downes. *(Elected for Ireland.)*

Nicholas Lord Bexley.

Robert Francis Lord Gifford.

Percy Clinton Sydney Lord Penshurst. (*Viscount Strangford.*)

William Lord Tadcaster. (*In another place as Marquess of Thomond.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Balcarres.*)

Thomas Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

James Archibald Lord Wharncliffe. *(In another place as Lord President of the Council.)*

William Lord Feversham.

Charles Rose Lord Seaford.

John Singleton Lord Lyndhurst. *(In another place as Lord Chancellor.)*

James Lord Fife. (*Earl of Fife.*)

John Henry Lord Tenterden.

William Conyngham Lord Plunket.

Thomas Lord Melros. *(Earl of Haddington.)*

Henry Lord Cowley

Charles Lord Stuart de Rothesay.

William Lord Heytesbury.

Archibald John Lord Rosebery. *(Earl of Rosebery.)*

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

Thomas Lord Wallace.

William Draper Lord Wynford.

Henry Lord Brougham and Vaux.

William George Lord Kilmarnock. *(Earl of Erroll.)*
Arthur James Lord Fingall. (*Earl of Fingall.*)
Charles William Lord Sefton. (*Earl of Sefton.*)
Nathaniel Lord Clements. (*Earl of Leitrim.*)
George William Fox Lord Rossie. *(Lord Kinnaird.)*
Thomas Lord Kenlis. *(Marquess of Headfort.)*
John Chambre Lord Chaworth. (*Earl of Meath.*)
Alexander Edward Lord Dunmore. (*Earl of Dunmore.*)
Robert Montgomery Lord Hamilton. (*Lord Belhaven and Stenton.*)
John Hobart Lord Howden.
William Lord Panmure.
George Warwick Lord Poltimore.
Edward Pryce Lord Mostyn.
Henry Spencer Lord Templemore.
William Lewis Lord Dinorben.
Valentine Browne Lord Cloncurry.
James Lord De Saumarez.
Francis Godolphin Lord Godolphin.
Lucius Lord Hunsdon. (*Visc. Falkland.*)
Charles Callis Lord Western.
Thomas Lord Denman.
John William Lord Duncannon.
William Lord Fitzgerald.
James Lord Abinger.
Philip Charles Lord De L'Isle and Dudley.
Alexander Lord Ashburton.
Charles Lord Glenelg.
Edward John Lord Hatherton.
John Lord Strafford.
Archibald Lord Worlingham. (*In another place as Earl of Gosford.*)
Charles Christopher Lord Cottenham.
Henry Lord Langdale.
Edward Berkeley Lord Portman.
Thomas Alexander Lord Lovat.
William Lord Bateman.
Francis William Lord Charlemont. *(In another place as Earl of Charlemont.)*
Anthony Adrian Lord Kintore. *(Earl of Kintore.)*
Cornelius Lord Lismore. *(Viscount Lismore.)*
Henry Robert Lord Rossmore.
Robert Shapland Lord Carew.
William Francis Spencer Lord De Mauley.
John Lord Wrottesley.
Charles Lord Sudeley.
Paul Lord Methuen.
Frederick James Lord Beauvale.
Richard Wogan Lord Furnival. (*Lord Talbot of Malahide.*)
John Thomas Lord Stanley of Alderley.
Henry Lord Stuart de Decies.
Chandos Lord Leigh of Stoneleigh.
Paul Beilby Lord Wenlock.
Charles Lord Lurgan.
Nicholas William Lord Colborne.
Arthur Lord De Freyne.
James Lord Dunfermline.
Thomas Lord Monteagle of Brandon.
John Lord Seaton.
John Lord Keane.
John Lord Campbell.
John Lord Oxenfoord. (*Earl of Stair.*)
Valentine Lord Kenmare. (*Earl of Kenmare.*)
George Hamilton Lord Ennishowen and Carrickfergus.
Charles Crespigny Lord Vivian.
John Lord Congleton.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to the *Fourteenth Parliament* of the United Kingdom of *Great Britain and Ireland,* and *Sixth of Queen Victoria:* Amended to the Opening of the *Third Session,* on the 2nd Day of February, 1843.

Abingdon.
Thomas Duffield.

Andover.
Ralph Etwall,
Hon. (William Paget) Lord W. Paget.

Anglesey.
Hon. William Owen Stanley.

Arundel.
Hon. Henry Granville (Howard) Earl of Arundel and Surrey.

Ashburton.
William Jardine.

Ashton-under-Line.
Charles Hindley.

Aylesbury.
Charles John Baillie Hamilton,
Rice Richard Clayton.

Banbury.
Henry William Tancred.

Barnstaple.
Frederick Hodgson,
Montague Gore.

Bath.
Hon. Adam (Duncan) Viscount Duncan,
John Arthur Roebuck.

Beaumaris.
Frederick Paget.

Bedford.
Frederick Polhill,
Henry Stuart.

Bedfordshire.
Hon. John Hume (Cust) Viscount Alford,
William Astell.

Berkshire.
Robert Palmer,
Philip Pusey,
Rt. hon. William Keppel Viscount Barrington.

Berwick-upon-Tweed.
Richard Hodgson,
Matthew Forster.

Beverley.
John Towneley,
James Weir Hogg.

Bewdley.
Sir Thomas Edward Winnington, bt.

Birmingham.
George Frederick Muntz,
Joshua Scholefield.

Blackburn.
William Feilden,
John Hornby.

Bodmin.
Hon. John (Townshend) Earl of Leicester,

Bolton-le-Moors.
Peter Ainsworth,
John Bowring.

Boston.
John Studholme Brownrigg,
Sir James Duke, knt.

Bradford.
John Hardy,
William Busfeild.

Brecknockshire.
Thomas Wood.

Brecknock.
Charles Morgan Robinson Morgan.

Bridgenorth.
Thos. Charlton Whitmore,
Sir Robert Pigot, bt.

Bridgewater.
Henry Broadwood,
Thomas Seaton Forman.

Bridport.
Thomas Alexander Mitchell,
Alexander Dundas Rose Wishart Baillie Cochrane.

Brighton.
George Richard Pechell,
Hon. (Alfred Hervey) Lord A. Hervey.

Bristol.
Philip William Skynner Miles,
Hon. Francis Henry Fitzhardinge Berkeley.

Buckingham.
Sir Thomas Francis Fremantle, bt.,
Sir John Chetwode, bt.

Buckinghamshire.
Caledon George Du Pré,
Charles Robert Scott Murray.
Hon. William Edward Fitzmaurice,

Bury.
Richard Walker.

Bury St. Edmund's.
Hon. Frederick William (Hervey) Earl Jermyn,
Rt. Hon. (Charles Fitzroy) Lord C. Fitzroy.

Calne.
Hon. Henry (Petty Fitzmaurice) Earl of Shelburne.

Cambridge.
Hon. John Henry Thomas Manners Sutton,
Sir Alexander Cray Grant, bt.

Cambridgeshire.
Hon. Eliot Thomas Yorke,
Richard Jefferson Eaton,
John Peter Allix.

Cambridge (University)
Rt. hon. Henry Goulburn,
Hon. Charles Ewan Law.

CANTERBURY.
Hon. George Augustus Percy Sydney Smythe,
James Bradshaw.

CARDIFF.
Rt. hon. John Iltid Nicholl.

CARDIGAN.
Pryse Pryse.

CARDIGANSHIRE.
William Edward Powell.

CARLISLE.
Philip Henry Howard,
William Marshall.

CARMARTHEN.
David Morris.

CARMARTHENSHIRE.
Hon. George Rice Rice Trevor,
David Arthur Saunders Davies.

CARNARVON.
William Bulkeley Hughes.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CHATHAM.
Rt. hon. George Stevens Byng.

CHELTENHAM.
Hon. Craven Fitzhardinge Berkeley.

CHESHIRE.
(Northern Division.)
William Tatton Egerton,
George Cornwall Legh.

(Southern Division.)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Rt. hon. (Robert Grosvenor) Lord R. Grosvenor,
John Jervis.

CHICHESTER.
Hon. (Arthur Lennox) Lord A. Lennox,
John Abel Smith.

CHIPPENHAM.
Joseph Neeld,
Henry George Boldero.

CHRISTCHURCH.
Rt. hon. Sir George Henry Rose G.C.H.

CIRENCESTER.
Thomas William Chester Master,
William Cripps.

CLITHEROE.
Edward Cardwell.

COCKERMOUTH.
Henry Aglionby Aglionby,
Edward Horsman.

COLCHESTER.
Richard Sanderson,
Sir George Henry Smyth, bt.

CORNWALL.
(Eastern Division.)
Hon. Edward Granville (Eliot) Lord Eliot,
William Rashleigh.

(Western Division.)
Edward William Wynne Pendarves,
Sir Charles Lemon, bt.

COVENTRY.
Rt. hon. Edward Ellice,
William Williams.

CRICKLADE.
John Neeld,
Hon. Henry Thomas Howard.

CUMBERLAND.
(Eastern Division).
Hon. Charles Wentworth George Howard,
William James.

(Western Division.)
Samuel Irton,
Edward Stanley.

DARTMOUTH.
Sir John Henry Seale, bt.

DENBIGH.
Townshend Mainwaring.

DENBIGHSHIRE.
Hon. William Bagot,
Sir Watkin Williams Wynn.

DERBY.
Edward Strutt,
Hon. John George Brabazon Ponsonby.

DERBYSHIRE.
(Northern Division.)
Hon. Geo. Henry Cavendish,
William Evans.

(Southern Division.)
Edward Miller Mundy,
Charles Robert Colvile.

DEVIZES.
Thomas Henry Sutton Sotheran,
George Heneage Walker Heneage.

DEVONPORT.
Henry Tufnell,
Rt. hon. Sir George Grey, bt.

DEVONSHIRE
(Northern Division.)
Sir Thomas Dyke Acland, bt.,
Lewis William Buck.

(Southern Division.)
Sir John Buller Yarde Buller, bt.,
Hon. William Reginald (Courtenay) Visc. Courtenay.

DORCHESTER.
Hon. Anthony Henry Ashley-Cooper,
Rt. hon. Sir James Robert George Graham, bt.

DORSETSHIRE.
Hon. Anthony (Ashley Cooper) Lord Ashley,
Henry Charles Sturt,
George Bankes.

DOVOR.
Sir John Rae Reid, bt.,
Edward Royd Rice.

DROITWICH.
John Somerset Pakington.

DUDLEY.
Thomas Hawkes.

DURHAM.
(Northern Division.)
Hedworth Lambton,
Hon. Henry Thomas Liddell.

(Southern Division.)
Hon. (Harry Vane) Lord H. Vane,
John Bowes.

DURHAM (CITY.)
Thomas Colpitts Granger,
Robert Fitzroy.

ESSEX.
(Northern Division.)
Sir John Tyssen Tyrell, bt.,
Charles Gray Round.

(Southern Division.)
Thomas William Bramston,
George Palmer.

EVESHAM.
Hon. Arthur (Marcus Cecil Hill) Lord A. M. C. Hill,
Peter Borthwick.

EXETER.
Sir William Webb Follett, knt.,
Edward Divett.

EYE.
Sir Edward Kerrison, bt.

FINSBURY.
Thos. Slingsby Duncombe,
Thomas Wakley.

FLINT.
Sir Richard Bulkeley Williams Bulkeley, bt.

FLINTSHIRE.
Sir Stephen Richard Glynne, bart.

FROME.
Thomas Sheppard.

GATESHEAD.
William Hutt.

GLAMORGANSHIRE.
Hon. Edward Richard Wyndham (Wyndham Quin) viscount Adare,
Christopher Rice Mansel Talbot.

GLOUCESTER.
John Phillpots,
Hon. Maurice Frederick Fitzhardinge Berkeley.

GLOUCESTERSHIRE.
(Eastern Division.)
Sir Christopher William Codrington, bt.
Hon. Francis Charteris.
(Western Division.)
Hon. George Charles Grantley Fitzhardinge Berkeley,
Robert Blagden Hale.

GRANTHAM.
Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREENWICH.
James Whitley Deans Dundas,
Edward George Barnard.

GRIMSBY (GREAT).
Edward Heneage.

GUILDFORD.
Ross Donnelly Mangles,
Charles Baring Wall.

HALIFAX.
Edward Protheroe,
Charles Wood.

HAMPSHIRE.
(Northern Division.)
Rt. hon. Charles Shaw Lefevre,
Sir William Heathcote, bt.
(Southern Division.)
Hon. (Charles Wellesley) Lord C. Wellesley,
Henry Combe Compton.

HARWICH.
John Attwood,
William Beresford.

HASTINGS.
Rt. hon. Joseph Planta,
Robert Hollond.

HAVERFORDWEST.
Sir Richard Bulkeley Philipps Philipps, bt.

HELSTON.
Sir Richard Rawlinson Vyvyan, bt.

HEREFORD.
Edward Bolton Clive,
Robert Pulsford.

HEREFORDSHIRE.
Kedgwin Hoskins,
Thomas Baskerville Mynors Baskerville,
Joseph Bailey.

HERTFORD.
Hon. Philip Henry (Stanhope) viscount Mahon,
Hon. William Francis Cowper.

HERTFORDSHIRE.
Hon. James Walter (Grimston) viscount Grimston,
Abel Smith,
Hon. Granville Dudley Ryder.

HONITON.
Hugh Duncan Baillie,
Forster Alleyne Mac Geachy.

HORSHAM.
Hon. Robert Campbell Scarlett.

HUDDERSFIELD.
William Rookes Crompton Stansfield.

HUNTINGDON.
Sir Frederick Pollock, knt.,
Jonathan Peel.

HUNTINGDONSHIRE.
Edward Fellowes,
George Thornhill.

HYTHE.
Stewart Marjoribanks.

IPSWICH.
John Neilstone Gladstone,
Sackville Lane Fox.

KENDAL.
George William Wood.

KENT.
(Eastern Division.)
Rt. hon. Sir Edward Knatchbull, bt.,
John Pemberton Plumptre.
(Western Division.)
Sir Edmund Filmer, bt.,
Hon. Charles (Marsham) viscount Marsham.

KIDDERMINSTER.
Richard Godson.

KING'S LYNN.
Hon. (William George Frederick Cavendish Bentinck) Lord W. G. F. C. Bentinck,
Hon. Robert (Jocelyn) Viscount Jocelyn.

KINGSTON-UPON-HULL.
Sir John Hanmer, bt.,
Sir Walter Charles James, bt.

KNARESBOROUGH.
Andrew Lawson,
William Busfeild Ferrand.

LAMBETH.
Benjamin Hawes,
Rt. Hon. Charles Tennyson D'Eyncourt.

LANCASHIRE.
(Southern Division.)
Rt. hon. (Francis Leveson Egerton) Lord F.L. Egerton,
Hon. Richard Bootle Wilbraham.
(Northern Division.)
John Wilson Patten,
Rt. hon. Edward Geoffrey (Smith Stanley) Lord Stanley.

LANCASTER.
Thomas Greene,
George Marton.

LAUNCESTON.
Rt. hon. Sir Henry Hardinge, K.C.B.

LEEDS.
William Beckett,
William Aldam.

LEICESTER.
Sir John Easthope, bt.,
Wynn Ellis.

LEICESTERSHIRE
(Northern Division.)
Hon. (Charles Henry Somerset Manners) Lord C. H. S. Manners,
Edward Basil Farnham.
(Southern Division.)
Henry Halford,
Charles William Packe.

LEOMINSTER.
Charles Greenaway,
George Arkwright.

LEWES.
Hon. Henry Fitzroy,
Howard Elphinstone.

LICHFIELD.
Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Granville George (Leveson Gower) Lord Leveson.

LINCOLN.
Charles De Laet Waldo Sibthorp,
William Rickford Collett.

LINCOLNSHIRE.
(*Parts of Kesteven and Holland.*)
Christopher Turnor,
Sir John Trollope, bt.

(*Parts of Lindsey.*)
Hon. Charles Anderson Worsley (Pelham) Lord Worsley,
Robert Adam Christopher.

LISKEARD.
Charles Buller.

LIVERPOOL.
Hon. Dudley (Ryder) Viscount Sandon,
Sir Howard Douglas, bt.

LONDON.
John Masterman,
Sir Matthew Wood, bt.,
George Lyall,
Rt. hon. (John Russell) Lord J. Russell.

LUDLOW.
Beriah Botfield,
James Ackers.

LYME REGIS.
Thomas Hussey.

LYMINGTON.
John Stewart,
William Alex. Mackinnon.

MACCLESFIELD.
John Brocklehurst,
Thomas Grimsditch.

MAIDSTONE.
Alexander James Beresford Hope,
George Dodd.

MALDON.
Quintin Dick,
John Round.

MALMESBURY.
Hon. Jas. Kenneth Howard.

MALTON.
John Walbanke Childers,
John Evelyn Denison.

MANCHESTER.
Mark Philips,
Thomas Milner Gibson.

MARLBOROUGH.
Hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Renn Hampden.

MARYLEBONE.
Sir Benjamin Hall, bt.,
Sir Charles Napier, K.C.B.

MERIONETHSHIRE.
Richard Richards.

MERTHYR TYDVIL.
Sir Josiah John Guest, bt.

MIDDLESEX.
George Byng,
Thomas Wood.

MIDHURST.
Sir Horace Beauchamp Seymour, knt.

MONMOUTH.
Reginald James Blewitt.

MONMOUTHSHIRE.
Rt. hon. (Granville Charles Henry Somerset) Lord G. C. H. Somerset,
Charles Octavius Swinnerton Morgan.

MONTGOMERY.
Hon. Hugh Cholmondeley.

MONTGOMERYSHIRE.
Rt. hon. Charles Watkin Williams Wynn.

MORPETH.
Hon. Edward George Granville Howard.

NEWARK-UPON-TRENT.
Rt. hon. William Ewart Gladstone,
Hon. (John Manners) Lord J. Manners.

NEWCASTLE-UNDER-LYME.
Edmund Buckley,
John Campbell Colquhoun.

NEWCASTLE-UPON-TYNE.
William Ord,
John Hodgson Hinde.

NEWPORT.
Charles Wykeham Martin,
William John Hamilton.

NORFOLK.
(*Eastern Division.*)
Edmund Wodehouse,
Henry Negus Burroughes.

(*Western Division.*)
William Bagge,
Wm. Lyde Wiggett Chute

NORTHALLERTON.
William Battye Wrightson.

NORTHAMPTON.
Rt. Hon. Robert Vernon Smith,
Raikes Currie.

NORTHAMPTONSHIRE.
(*Northern Division.*)
Thomas Philip Maunsell,
Augustus Stafford O'Brien.

(*Southern Division.*)
William Ralph Cartwright,
Sir Charles Knightley, bt.

NORTHUMBERLAND.
(*Northern Division.*)
Hon. Charles (Bennett) Lord Ossulston,
Addison John Baker Cresswell.

(*Southern Division.*)
Matthew Bell,
Savile Craven Henry Ogle.

NORWICH.
Hon. Arthur Richard (Wellesley) Marquess of Douro,
Benjamin Smith.

NOTTINGHAM.
Rt. hon. Sir John Cam Hobhouse, bt.,
John Walter.

NOTTINGHAMSHIRE.
(*Northern Division.*)
Thomas Houldsworth,
Henry Gally Knight.

(*Southern Division.*)
Hon. Henry Pelham (Fiennes Pelham Clinton) Earl of Lincoln,
Lancelot Rolleston.

OLDHAM.
John Fielden,
William Augustus Johnson.

OXFORD (CITY.)
James Haughton Langston,
Donald Maclean.

OXFORDSHIRE.
Hon. Montague (Bertie) Lord Norreys,
George Granville Harcourt,
Joseph Warner Henley.

OXFORD (UNIVERSITY.)
Thomas Grimston Bucknall Estcourt,
Sir Robert Harry Inglis, bt.

PEMBROKE.
Sir John Owen, bt.

Pembrokeshire.
Hon. John Frederick Vaughan (Campbell) viscount Emlyn.

Penryn and Falmouth.
John Cranch Walker Vivian,
James Hanway Plumridge.

Peterborough.
Hon. George Wentworth Fitzwilliam,
Sir Robert Heron, bt.

Petersfield.
Sir William George Hylton Jolliffe, bt.

Plymouth.
Thomas Gill,
Hon. Hugh (Fortescue) viscount Ebrington.

Pontefract.
Hon. John Charles George (Saville) visc. Pollington,
Richard Monckton Milnes.

Poole.
Hon. Charles Frederick Ashley Cooper Ponsonby,
George Richard Philips.

Portsmouth.
Rt. Hon. Francis Thornhill Baring,
Sir George Thomas Staunton, bt.

Preston.
Sir Peter Hesketh Fleetwood, bt.,
Sir George Strickland, bt.

Radnor (New).
Richard Price.

Radnorshire.
Sir John Benn Walsh, bt.

Reading.
Charles Russell,
Hon. Henry Charles (Cadogan) viscount Chelsea.

Reigate.
Hon. Charles Somers (Somers - Cocks) viscount Eastnor.

Retford (East).
Hon. Arthur Duncombe,
Granville Harcourt Vernon.

Richmond.
Hon. John Charles Dundas,
Hon. William Nicholas Ridley Colborne.

Ripon.
Thomas Pemberton,
Rt. hon. Sir George Cockburn, G.C.B.

Rochdale.
William Sharman Crawford.

Rochester.
James Douglas Stoddart Douglas,
William Henry Bodkin.

Rutlandshire.
Gilbert John Heathcote,
Hon. William Henry Dawnay.

Rye.
Herbert Barrett Curteis.

St. Alban's.
George William John Repton,
Rt. Hon. William Earl of Listowel.

St. Ives.
William Tyringham Praed.

Salford.
Joseph Brotherton.

Salisbury.
Wadham Wyndham,
William Bird Brodie.

Salop, or Shropshire.
(*Northern Division.*)
Hon. Edward (Clive) Viscount Clive,
William Ormsby Gore.
(*Southern Division.*)
Hon. Robert Henry Clive,
Hon. Orlando George Chas. (Bridgeman) Viscount Newport.

Sandwich.
Sir Edward Thomas Troubridge, bt.,
Hugh Hamilton Lindsay.

Scarborough.
Sir John Vanden Bempde Johnstone, bt.,
Sir Frederick William Trench, knt.

Shaftesbury.
Hon. Henry (Howard) Lord Howard.

Sheffield.
John Parker,
Henry George Ward.

Shields (South).
John Twizell Wawn.

Shoreham (New).
Sir Chas. Merrik Burrell, bt.,
Charles Goring.

Shrewsbury.
George Tomline,
Benjamin D'Israeli.

Somersetshire.
(*Eastern Division.*)
William Gore Langton,
William Miles.
(*Western Division.*)
Thomas Dyke Acland,
Francis Henry Dickinson.

Southampton.
Humphrey St. John Mildmay,
George William Hope.

Southwark.
John Humphery,
Benjamin Wood.

Stafford.
Hon. Swinfen Thomas Carnegie,
Edward Buller.

Staffordshire.
(*Northern Division.*)
Jesse David Watts Russell,
Charles Bowyer Adderley.
(*Southern Division.*)
Hn. Henry John (Chetwynd Talbot) visc. Ingestrie,
Hon. George Anson.

Stamford.
Hon. Charles Cecil John (Manners) Marquess of Granby,
Sir George Clerk, bt.

Stockport.
Henry Marsland,
Richard Cobden.

Stoke-upon-Trent.
John Lewis Ricardo,
William Taylor Copeland.

Stroud.
William Henry Stanton,
George Poulett Scrope.

Sudbury.

Suffolk.
(*Eastern Division.*)
Rt. hon. John Henniker Lord Henniker,
Sir Charles Broke Vere, K.C.B.
(*Western Division.*)
Robert Rushbroke,
Harry Spencer Waddington.

Sunderland.
David Barclay,
Rt. hon. Henry (Grey) Viscount Howick.

Surrey.

(Eastern Division.)

Henry Kemble,
Edmund Antrobus.

(Western Division.)

William Joseph Denison,
John Trotter.

Sussex.

(Eastern Division.)

George Darby,
Augustus Elliott Fuller.

(Western Division.)

Hon. Charles Henry (Gordon Lennox) Earl of March,
Charles Wyndham.

Swansea.

John Henry Vivian.

Tamworth.

Rt. hon. Sir Robert Peel, bt.,
Edward Henry A'Court.

Taunton.

Rt. hon. Henry Labouchere,
Sir Thomas Edward Colebrooke, bt.

Tavistock.

John Rundle,
Hon. (Edward Russell) Lord E. Russell.

Tewkesbury.

William Dowdeswell,
John Martin.

Thetford.

Hon. William Bingham Baring,
Sir James Flower, bt.

Thirsk.

John Bell.

Tiverton.

John Heathcoat,
Rt. hon. Henry John Viscount Palmerston.

Totness.

Hon. Edward Adolphus (Seymour) Lord Seymour,
Charles Barry Baldwin.

Tower Hamlets.

Sir William Clay, bt.,
Charles Richard Fox.

Truro.

John Ennis Vivian,
Edmund Turner.

Tynemouth.

Henry Mitcalfe.

Wakefield.

Hon. William Sebright Lascelles.

Wallingford.

William Seymour Blackstone.

Walsall.

Robert Scott.

Wareham.

John Samuel Wanley Sawbridge Erle Drax.

Warrington.

John Ireland Blackburn.

Warwick.

Sir Chas. Eurwicke Douglas, knt.,
William Collins.

Warwickshire.

(Northern Division.)

William Stratford Dugdale,
Sir John Eardley Eardley Wilmot, bt.

(Southern Division.)

Sir John Mordaunt, bt.,
Evelyn John Shirley.

Wells.

William Goodenough Hayter,
Richard Blakemore.

Wenlock.

Hon. George Cecil Weld Forester,
James Milnes Gaskell.

Westbury.

Sir Ralph Lopes, bt.

Westminster.

John Temple Leader,
Hon. Henry John Rous.

Westmoreland.

William Thompson,
Hon. Henry Cecil Lowther.

Weymouth and Melcombe Regis.

Ralph Bernal,
William Dougal Christie.

Whitby.

Aaron Chapman.

Whitehaven.

Matthias Attwood.

Wigan.

Peter Greenall,
Charles Standish.

Wight, (Isle of).

Hon. William Henry Ashe A'Court Holmes.

Wilton.

Hon. James Charles Herbert Welbore Ellis (Agar) Viscount Somerton.

Wiltshire.

(Northern Division.)

Sir Francis Burdett, bt.,
Walter Long.

(Southern Division.)

John Benett,
Hon. Sidney Herbert.

Winchester.

James Buller East,
Bickham Escot.

Windsor.

John Ramsbottom,
Ralph Neville.

Woodstock.

Frederic Thesiger.

Wolverhampton.

Hon. Charles Pelham Villiers,
Thomas Thornely.

Worcester.

Sir Thomas Wilde, knt.,
Joseph Bailey.

Worcestershire.

(Eastern Division.)

John Barneby,
James Arthur Taylor.

(Western Division.)

Hon. Henry Beauchamp Lygon,
Frederick Winn Knight.

Wycombe (Chipping).

George Henry Dashwood,
Ralph Bernal.

Yarmouth (Great).

Charles Edward Rumbold,
William Wilshere.

York.

John Henry Lowther,
Henry Galcacus Redhead Yorke.

Yorkshire.

(East Riding.)

Henry Broadley,
Right hon. Beaumont Lord Hotham.

(West Riding.)

Hon. John Stuart Wortley,
Edmund Beckett Denison.

(North Riding.)

Hon. Octavius Duncombe,
Edward Stillingfleet Cayley.

SCOTLAND.

Aberdeen.

Alexander Bannerman.

Aberdeenshire.
Hon. Wm. Gordon.

Argyleshire.
Alexander Campbell.

Ayr, &c.
Hon.(Patrick James Herbert Crichton Stuart) Lord P. J. H. C. Stuart.

Ayrshire.
Hon. James (Boyle Carr) Viscount Kelburne.

Banffshire.
James Duff.

Berwickshire.
Sir Hugh Purvis Hume Campbell, bt.

Buteshire.
Hon. James Stuart Wortley.

Caithness-shire.
George Trail.

Clackmannan and Kinros-shires.
William Morrison.

Dumbartonshire.
Alexander Smollett.

Dumfries, &c.
William Ewart.

Dumfriesshire.
John James Hope Johnstone.

Dundee.
George Duncan.

Dysart &c.
Robert Ferguson.

Edinburgh.
Rt. hon. Thomas Babington Macaulay,
William Gibson Craig.

Edinburghshire.
William Ramsay Ramsay.

Elgin, &c.
Sir Andrew Leith Hay, knt.

Elginshire and Nairne.
Charles Lennox Cumming Bruce.

Fifeshire.
James Erskine Wemyss.

Forfarshire.
Hon. (John Frederick Gordon) Lord J. F. Gordon.

Glasgow.
James Oswald,
John Dennistoun.

Greenock.
Robert Wallace.

Haddington, &c.
James Maitland Balfour.

Haddingtonshire.
Sir Thomas Buchan Hepburn, bt.

Inverkeithing, &c.
Hon. Archibald (Primrose) Lord Dalmeny.

Inverness, &c.
James Morrison.

Invernessshire.
Henry James Baillie.

Kincardineshire.
Hon. Hugh Arbuthnott.

Kirkcudbright.
Alexander Murray.

Kirkwall, &c.
James Loch.

Lanarkshire.
William Lockhart.

Leith, &c.
Rt. hon. Andrew Rutherfurd.

Linlithgow, &c.
William Baird.

Linlithgowshire.
Hon. Charles Hope.

Montrose, Inverbervie, &c.
Joseph Hume.

Orkney and Shetland Shires.
Frederick Dundas.

Paisley.
Archibald Hastie.

Peebleshire.
William Forbes Mackenzie.

Perth.
Rt. hon. Fox Maule.

Perthshire.
Henry Home Drummond.

Renfrew, &c.
Alexander Johnston.

Renfrewshire.
Patrick Maxwell Stewart.

Ross and Cromarty-shires.
Thomas Mackenzie.

Roxburghshire.
Hon. Francis Scott.

St. Andrew's, Cupar, &c.
Edward Ellice.

Selkirkshire.
Alexander Pringle.

Stirlingshire.
William Forbes.

Sutherlandshire.
David Dundas.

Wigton, &c.
Sir John M'Taggart, bt.

Wigtonshire.
John Dalrymple.

IRELAND.

Antrim.
John Irving,
Nathaniel Alexander.

Armagh.
Hon. Archibald (Acheson) Viscount Acheson,
William Verner.

Armagh (City.)
John Dawson Rawdon.

Athlone.
Daniel Henry Farrell.

Bandon-Bridge.
Hon. Frances (Bernard) Viscount Bernard.

Belfast.
James Emerson Tennent,
David Robert Ross.

Carlow.
Henry Bruen,
Thomas Bunbury.

Carlow (Borough.)
Brownlow Villiers Layard.

Carrickfergus.
Peter Kirk.

Cashell.
Joseph Stock.

Cavan.
John Young,

Clare.
William Nugent M'Namara,
Cornelius O'Brien.

Clonmel.
Rt. hon. David Richard Pigot.

Coleraine.

Cork.
Daniell O'Connell,
Edmund Burke Roche.

Cork (City.)
Francis Slack Murphy,
Daniel Callaghan.

Donegal.
Sir Edmund Samuel Hayes, bt.,
Edward Michael Conolly.

Down.
Rt. hon. Frederick William Robert (Stewart) Viscount Castlereagh,
Hon. Arthur Wills Blundell Sandys Trumbull Windsor (Hill) Earl of Hillsborough.

Downpatrick.
David Stewart Kerr.

Drogheda.
Sir William Meredyth Somerville, bt.

Dublin.
James Hans Hamilton,
Thomas Edward Taylor.

Dublin (City.)
Edward Grogan,
William Henry Gregory.

Dublin (University.)
Rt. hon. Frederick Shaw,

Dundalk.
Thos. Nicholas Redington.

Dungannon.
Hon. Thomas (Knox) Viscount Northland.

Dungarvan.
Rt. hon. Richard Lalor Sheil.

Ennis.
Hewitt Bridgeman.

Enniskillen.
Hon. Arthur Henry Cole.

Fermanagh.
Sir Arthur Brinsley Brooke, bt.,
Mervyn Archdall.

Galway.
John James Bodkin,
Thomas Barnewell Martin.

Galway (Borough).
Martin Joseph Blake,
Sir Valentine Blake, bt.

Kerry.
Hon. William Browne,
Morgan John O'Connell,

Kildare.
Richard More O'Ferrall,
Robert Archbold.

Kilkenny.
Hon. Pierse Butler,
George Bryan.

Kilkenny (Borough).
John O'Connell.

King's (County).
Hon. John Craven Westenra,
Sir Andrew Armstrong, bt.

Kinsale.
William Henry Watson.

Leitrim.
Hon. William Sydney (Clements) Viscount Clements,
Samuel White.

Limerick.
William Smith O'Brien,
Caleb Powell.

Limerick (City).
Sir David Roche, bt.,
John O'Brien.

Lisburn.
Henry Meynell.

Londonderry.
Robert Bateson,
Theobald Jones.

Londonderry (City.)
Sir Robert Alexander Ferguson, bt.

Longford.
Anthony Lefroy.
Henry White.

Louth.
Rich. Montesquieu Bellew,
Hon. Thomas Vesey Dawson.

Mallow.
Sir Chas. Denham Orlando Jephson Norreys, bt.

Mayo.
Robert Dillon Browne,
Mark Blake.

Meath.
Matthew Elias Corbally,
Henry Grattan.

Monaghan.
Evelyn Philip Shirley,

Newry.
Hon. Francis Jack (Needham) Viscount Newry and Morne.

Portarlington.
Rt. hon. George Lionel Dawson Damer.

Queen's (County).
Sir Chas. Henry Coote, bt.,
Hon. Thomas Vesey.

Ross, (New).
Hon. Robert Gore.

Rosscommon.
Fitzstephen French,
Denis O'Conor, (The O'Conor Don).

Sligo.
John Ffolliott,
William Richard Ormsby Gore.

Sligo (Borough.)
John Patrick Somers.

Tipperary.
Valentine Maher,
Hon. Robert Otway Cave.

Tralee.
Maurice O'Connell.

Tyrone.
Right hon. Henry Thomas Lowry Corry,
Hon. (Claud Hamilton) Lord C. Hamilton.

Waterford.
William Villiers Stuart,
Hon. Robt. Shapland Carew.

Waterford (City.)
Sir Henry Winston Barron, bt.
Thomas Wyse.

Westmeath.
Hugh Morgan Tuite,
Benjamin James Chapman.

Wexford.
Villiers Francis Hatton,
James Power.

Wexford (Borough.)
Sir Thomas Esmonde, bt.

Wicklow.
William Acton,
Sir Ralph Howard, bt.

Youghall.
Hon. Charles Compton Cavendish.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *THIRD SESSION* OF THE *FOURTEENTH*
PARLIAMENT OF THE UNITED KINGDOM OF *GREAT*
BRITAIN AND *IRELAND*, APPOINTED TO MEET 11 NOVEM-
BER, 1841, AND FROM THENCE CONTINUED TILL 2 FEBRUARY,
IN THE SIXTH YEAR OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, February 2, 1843.

MINUTES.] Earl of Auckland, and Viscount Ponsonby, of Imokilly, introduced and took the Oaths.

Viscount Hill, Lord Rodney, and Lord Vivian sat first in Parliament.

Viscount O'Neil, Representative Peer for Ireland, *v.* Viscount Gort, dec.—Certificate Read.

Earl of Shaftesbury appointed Chairman of Committees.

BILL. $1^{a.}$ Select Vestries..

MEETING OF PARLIAMENT.] The Parliament was this day Opened by Commission, the Lords Commissioners being the Lord high Chancellor; the Archbishop of Canterbury; the Lord President of the Council; Lord Wharncliffe; the Lord Privy Seal; the Duke of Buccleugh; and the Earl of Shaftesbury. The Commons being at the Bar with their Speaker, the Lord Chancellor delivered the Lords Commissioners' Speech to both Houses of Parliament, as follows:—

"*My Lords and Gentlemen,*

"We are commanded by Her Majesty to acquaint you, that Her Majesty receives from all Princes and States Assurances of a friendly Disposition towards this Country, and of an earnest Desire to co-operate with Her Majesty in the Maintenance of general Peace.

"By the Treaty which Her Majesty has concluded with the United States of America, and by the Adjustment of those Differences which, from their long Continuance, had endangered the Preservation of Peace, Her Majesty trusts that the amicable Relations of the Two Countries have been confirmed.

"The increased Exertions which, by the Liberality of Parliament, Her Majesty was enabled to make for the Termination of Hostilities with China, have been eminently successful.

"The Skill, Valour, and Discipline of the Naval and Military Forces employed upon this Service have been most conspicuous, and have led to the Conclusion of Peace upon the Terms proposed by Her Majesty.

" Her Majesty rejoices in the Prospect that, by the free Access which will be opened to the principal Marts of that populous and extensive Empire, Encouragement will be given to the Commercial Enterprise of Her People.

" As soon as the Ratifications of the Treaty shall have been exchanged, it will be laid before you.

" In concert with Her Allies, Her Majesty has succeeded in obtaining for the Christian Population of Syria the Establishment of a System of Administration which they were entitled to expect from the Engagements of the Sultan and from the good Faith of this Country.

" The Differences for some Time existing between the Turkish and Persian Governments had recently led to Acts of Hostility; but as each of these States has accepted the joint Mediation of Great Britain and Russia, Her Majesty entertains a confident hope that their mutual Relations will be speedily and amicably adjusted.

" Her Majesty has concluded with the Emperor of Russia a Treaty of Commerce and Navigation, which will be laid before you. Her Majesty regards this Treaty with great Satisfaction, as the Foundation for increased Intercourse between Her Majesty's Subjects and those of the Emperor.

" Her Majesty is happy to inform you, that complete Success has attended the recent Military Operations in Affghanistan.

" Her Majesty has the greatest Satisfaction in recording Her high sense of the Ability with which these Operations have been directed, and of the Constancy and Valour which have been manifested by the European and Native Forces.

" The Superiority of Her Majesty's Arms has been established by decisive Victories on the Scenes of former Disaster; and the complete Liberation of Her Majesty's Subjects who were held in Captivity, and for whom Her Majesty felt the deepest Interest, has been effected.

" We are commanded by Her Majesty to inform you, that it has not been deemed advisable to continue the Occupation by a Military Force of the Countries to the Westward of the Indus.

" *Gentlemen of the House of Commons,*

" Her Majesty has directed the Estimates for the ensuing Year to be laid before you.

" Such Reductions have been made in the Amount of the Naval and Military Force as have been deemed compatible, under present circumstances, with the efficient Performance of the Public Service throughout the extended Empire of Her Majesty.

" *My Lords and Gentlemen,*

" Her Majesty regrets the diminished Receipt from some of the ordinary Sources of Revenue.

" Her Majesty fears that it must be in part attributed to the reduced Consumption of many Articles caused by that Depression of the Manufacturing Industry of the Country which has so long prevailed, and which Her Majesty has so deeply lamented.

" In considering, however, the present State of the Revenue, Her Majesty is assured that you will bear in

Mind that it has been materially affected by the extensive Reductions in the Import Duties which received your Sanction during the last Session of Parliament, and that little Progress has been hitherto made in the Collection of those Taxes which were imposed for the Purpose of supplying the Deficiency from that and other Causes.

"Her Majesty feels confident that the future Produce of the Revenue will be sufficient to meet every Exigency of the Public Service.

"Her Majesty commands us to acquaint you, that Her Majesty derived the utmost Gratification from the Loyalty and affectionate Attachment to Her Majesty which were manifested on the occasion of Her Majesty's Visit to Scotland.

Her Majesty regrets that in the course of last Year the Public Peace in some of the Manufacturing Districts was seriously disturbed, and the Lives and Property of Her Majesty's Subjects were endangered by tumultuous Assemblages and Acts of open Violence.

"The ordinary Law, promptly enforced, was sufficient for the effectual Repression of these Disorders. Her Majesty confidently relies upon its Efficacy, and upon the zealous Support of Her loyal and peaceable Subjects, for the Maintenance of Tranquility.

"We are commanded by Her Majesty to acquaint you, that Measures connected with the Improvement of the Law, and with various Questions of Domestic Policy, will be submitted for your Consideration.

"Her Majesty confidently relies on your zealous Endeavours to promote the Public Welfare, and fervently prays that the Favour of Divine Providence may direct and prosper your Counsels, and make them conducive to the Happiness and Contentment of Her People.

Then the Commons withdrew, and the House adjourned. When resumed, and the Lords Commissioners Speech being *reported* by the Lord Chancellor,

The Address.] The Earl of *Powis* said—My Lords, in rising to address your Lordships, to propose for your adoption an Address in answer to the gracious Speech with which her Majesty has been pleased to direct the Lords Commissioners to open the present Parliament, I take the earliest opportunity of congratulating your Lordships upon the happy state in which the foreign relations of this country stand, and the prospect of peace, which is extending itself throughout all portions of the habitable globe connected with the British empire. My Lords, I have the satisfaction of doing this, not as a matter of form, but in sincerity and truth; and I am happy to say, that I believe it to be the intention of the Government of this country to carry out practically that principle of peace which is so essential to the benefit of the British empire. My Lords, I ought not to deal with this question generally. I ought to consider it particularly, and I think I cannot do better for this purpose than by adopting the course laid down in her Majesty's Speech. The importance of the first great question brought under the consideration of your Lordships in that Speech cannot be doubted, when we recollect that it has been the subject of discussion between the two countries of England and the United States for upwards of a quarter of a century, and when the result of those discussions has been more to disagree than to arrive at an amicable settlement. Under such circumstances it appeared to her Majesty's Government hopeless to pursue the usual course of entering into a correspondence between the secretaries of state for the two countries. It was found that such a course could not bring the matter to a satisfactory result, and it was therefore determined by her Majesty's Government to send out a special mission to America, and for that purpose they selected a noble Lord, and I will venture to say there never occurred greater unanimity than on the appointment of that noble Lord. The result of that mission has perfectly justified the expectations formed by her Majesty's Government, and the noble Lord has the gratification of knowing that he has, on the most essential questions, been the means of giving that hope and expectation of permanent peace which ought to exist between two nations boasting a common origin, and possessing nobler institutions than any other nations on earth. It is important that this question should be set at rest, because it has mixed itself up with all communications between this country and the United States. It has been a sore continually festering, and whatever differences have occurred they have been continually aggravated on both sides of the Atlantic by the boundary dispute. This question is now fortunately set at rest; and I hope and trust the result will be not only to secure a more amicable settlement between the citizens of the two countries, but will be the means of renewing that commercial intercourse which is so important to two such extensive communities. The next question to which I shall take the liberty of directing your Lordships' attention is the conclusion of the war with China. A very few short months only have elapsed since last we met in this place, and I believe that, at that time, there was not one of your Lordships who entertained any expectation that, with regard to that great question, there was any prospect that it would be so speedily or so satisfactorily settled. We are all aware that nothing can equal the gallantry, the zeal, the spirit, and the energy of British troops or British seamen—but we did not expect that this war would so soon have been brought to such a happy result. Our troops and seamen had to encounter many difficulties and dangers, and notwithstanding they had to penetrate into an unknown country, and had to encounter the dangers of the climate, from which our troops have suffered more than from the sword. All these difficulties and dangers, however, they have overcome. They have shown themselves worthy of their established reputation, and have taught the Chinese Emperor that peace with the British empire is better than a continuation of that state of things in which their own obstinacy had unfortunately involved them. It is with great satisfaction that I perceive the manner in which her Majesty has been pleased to characterise the exertions of the troops and seamen, both native and British, employed in this arduous service. The next subject to which I wish to direct your Lordships' attention is the conclusion of the war in Affghanistan. That war has also been brought to a happy result. It would be unmanly if I attempted to deny the sad reverses which we previously experienced in the country, it would be unmanly if I did not admit that the difficulties under which we laboured in that country, in consequence of those reverses, were very great. It must be admitted, indeed, that our reverses in that country had been disastrous in the extreme. Our duty in the first place was to redeem the honour of the British flag, which had been tarnished, and in the next to restore to liberty the portion of her Majesty's subjects, both male and female, who had had the misfortune to be detained in captivity in Affghanistan. I will not now stop to raise the question, whether those ladies were justified in placing themselves in such a situation as to subject themselves to the chance of being taken prisoners. It is sufficient for me to know that they were involved in such circumstances as to make it our duty, having, in the first place vindicated and redeemed the honour of the British flag, in the second place, to restore those captives to liberty. Happily both these results were accomplished. The first step towards the accomplishment of this great work was to be recognised in the noble and gallant defence of Jellalabad by Sir R. Sale. That was the first step in advance, and afforded a glorious example for future exertions. I need not more particularly allude to the noble and gallant conduct of the troops under the command of General Pollock and of General Nott in the various operations on which they had been engaged in Affghanistan; but I must be allowed to express the great satisfaction I feel at the handsome manner in which her Majesty has been pleased to speak of the exertions of the British troops employed in this arduous warfare. I am happy to say, that not only has the British forces merited those encomiums, but that the native force in the service of the hon. the East India Company have proved themselves equally worthy of praise. Both the British and the native troops deserved to be highly lauded for their gallant conduct during the campaign. I may, perhaps, be permitted to allude more particularly to this subject, because I entertain hereditary feelings with respect to India. With that country my family have been connected for many years. Greater devotion, I must say, could not have been shown by any troops than was exhibited by the native troops during the late hostilities in India; troops could not anywhere be found more worthy, in every respect, to serve in line with the British forces; and it is impossible to pay them a higher compliment. The same fidelity, the same devotion, the same gallantry, the same love of glory which, now near a century ago, was exhibited by the ancestors of these very troops has been again displayed. If your Lordships look to the siege of Arcot, or, at a later period, to the taking of Seringapatam, the capture of Bhurtpore, or to those great actions in which the noble Duke bore a part, and mark the devotion displayed at those periods by the native troops, and then mark their conduct in the late war, you will find that the same ardent devotion, the same gallantry, the same fidelity continue to animate them. The same valour was exhibited by the descendants of the troops who fought the battle of Plessy as was exhibited by their gallant ancestors. What, then, are the consequences of those disasters, which, for a time, dimmed the glory of the British arms? They have merely afforded an opportunity of securing a complete triumph upon the fields where our reverses had been experienced. The native troops have gloriously assisted in restoring the splendour which had always accompanied and distinguished the British flag. The native army, combined with the British force, have been called on to avenge the disasters which our army had experienced. The result has justified the expectation which might reasonably have been formed from the known valour and discipline of her Majesty's forces. On that very spot, in that very country where those misfortunes had taken place, the British and native forces have marched on amidst the whitened bones of their countrymen to victory, and have restored the name of the British empire in India to that splendour which ought always to have accompanied it. Were this all, I might stop here, and allude with heightened satisfaction and in a cordial spirit of congratulation to these subjects, as presenting the country and their Lordships with more than ordinary grounds of satisfaction. But her Majesty has not been satisfied with merely exacting satisfaction for injuries and repairing those disasters which had befallen the British arms; I have the additional pleasure of calling the attention of your Lordships to a higher and more noble subject, which was involved in the good fortune of the Christian population in Syria. Her Majesty, in concert with her allies, has secured for that population a Government which must tend to advance the happiness and improve the welfare of that portion of Christendom, which must be a source of satisfaction to the nations of Europe, and which the good faith and honour of the Sultan entitle their Lordships to expect will be fully carried out. But her Majesty has not been content to limit the exertions of her beneficence even here; and has resolved to carry out that policy of universal peace which the blessing, and he might add the novelty of a strong Government enabled her to maintain. Her Majesty is engaged in communications with the emperor of Russia, by whose co-operation her Majesty entertained a confident hope of bringing to a happy termination the differences which subsisted between Turkey and Persia. But I do not limit the satisfaction which I feel, or the congratulations which I offer your Lordships and the country, to the assistance which her Majesty is graciously extending to facilitate the peaceful relations of foreign countries. Her Majesty has been enabled to conclude a treaty with Russia—a most important commercial treaty, by which her Majesty has happily laid the foundations of an increase of commerce with that great and extensive empire. The result of these treaties will be felt in the enjoyment of universal peace and tranquillity, and the improvement of commercial prosperity. The conclusion of hostilities with China, and the establishment of our commerce in the five principal ports of that populous empire, together with a treaty of commerce with Russia, form a series of advantages which Parliament can rarely expect to be informed of through the medium of a single Speech from the Throne. I wish it was also in my power to allude with equal satisfaction to the present state of the population at home. Though nothing has happened which should render your Lordships otherwise than grateful for the dispensations of Providence, I cannot repress the intense anxiety which I feel from the conviction that our great population has not partaken last year of the same enjoyment of the comforts or even necessaries of life which your Lordships wish to see conferred upon them. I am afraid, however, that it is impossible that your Lordships can confer, or the great mass of the people derive, the benefit of any immediate and considerable improvement. For, although the alterations which were last year passed by the other House of Parliament, and which were sanctioned by your Lordships, may account materially and very largely for the diminution of the revenue, it cannot be concealed that those alterations will not explain so considerable and extensive a depreciation in the revenue. It is not my province to provoke a debate upon the causes which have produced this state of things. It is impossible, that justice can be done to a cause of such high and universal interest to your Lordships and to the country upon a day not appropriated to the discussion of topics of that description. One night is not sufficient for the consideration of interests which ought to be discussed at length, and should receive a full and complete hearing; whilst no other subject should be allowed to interfere with it. I therefore think that, in observing upon this part of her Majesty's most gracious Speech, I am justified in encouraging your Lordships to rely upon the words of the concluding paragraph in connexion with this subject, and trust that, although a material deficiency of the revenue exists, all the exigencies of the State will be fully met by the income which the Government may expect to derive from the future produce of the revenue. There is yet another subject which, notwithstanding the serious consequences which have fallen upon some of the parties concerned, may be regarded by their Lordships with satisfaction, as proving the loyalty and the love of order which prevail among the vast majority of her Majesty's subjects. Her Majesty alludes to the outbreak by which the peace of certain parts of the manufacturing districts was seriously disturbed in the latter part of the last summer, or the beginning of the autumn; but it is surely a matter of congratulation to your Lordships, and of gratification to those engaged in administering the affairs of the nation, that the ordinary processes of the law had proved sufficient to check the evil tendency. To those, indeed, who were immediately concerned in such subjects, to those who were called upon to take part in quelling these disturbances, it afforded the greatest satisfaction to find that the good sense of the population had taught them that the result which they aimed at would be prejudiced by acts of tumult or of violence, and that it was their interest no less than their duty to depend upon the support and protection of the law. In regard to those measures which her Majesty s Ministers have intimated their intention of bringing before your Lordships, and which would have for their object the beneficial improvement of the law, I need do no more than remark that they will receive all that consideration and attention which they deserve, and be speedily passed into laws. There remains only one other topic to which I deem it necessary to advert. I allude to her most gracious Majesty's recent visit to Scotland, a visit which has diffused a general joy and exultation throughout that country. In alluding to the royal visit to a sister country, your Lordships will, I trust, allow me to speak with pride and satisfaction of my own; for, although we have not that fine and cultivated country to show her Majesty, although we cannot boast that classic ground which appealed to the recollections of the Roman captain, and induced him to exclaim,

> "Hic Tiber et Campus Martius,"

yet, whenever her gracious Majesty shall be pleased to honour their Principality with her presence, she may rely upon meeting, not merely a cold allegiance from its inhabitants, but hearts warm with an affectionate loyalty wherever she may direct her course. Whatever manifestations of attachment her Majesty may have received from the people of Scotland, the people of that principality would not fear the comparison. It is impossible that I can dismiss this subject without giving utterance to the sentiments I feel; but I shall not trespass upon your Lordships' time further than by moving the Address, in which I believe your Lordships will cordially concur, in reply to her Majesty's most gracious Speech. The noble Earl concluded by moving the following Address:

MOST GRACIOUS SOVEREIGN;

WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to approach Your Majesty, to return to Your Majesty our humble Thanks for the gracious Speech which your Majesty has commanded to be made to both Houses of Parliament.

We beg leave to express our Satisfaction in learning that Your Majesty receives from all Princes and States Assurances of a friendly Disposition towards this Country, and of an earnest Desire to co-operate with Your Majesty in the Maintenance of general Peace.

We participate in the Hope expressed by Your Majesty, that by the Treaty which Your Majesty has concluded with the United States of America, and by the Adjustment of those Differences which, from their long Continuance, have seriously endangered the Preservation of Peace, the amicable Relations of these Two Countries have been confirmed.

We desire to express our Satisfaction that the increased Exertions which, by the Liberality of Parliament, Your Majesty was enabled to make for the Termination of Hostilities with China, have been eminently successful.

We are deeply sensible of the Skill, Valour, and Discipline of the Naval and Military Forces employed on this Service, which have led to the Conclusion of Peace upon the Terms proposed by your Majesty.

We rejoice with Your Majesty in the Prospect that, by the free Access which will be opened to the principal Marts of that populous and extensive Empire, Encouragement will be given to the Commercial Enterprise of Your Majesty's People.

We humbly thank Your Majesty for informing us, that as soon as the Ratifications have been exchanged the Treaty will be laid before us.

We assure Your Majesty of the Gratification with which we have learnt, that, in concert with Your Majesty's Allies, Your Majesty has succeeded in obtaining for the Christian Population of Syria the Establishment of a System of Administration which they were entitled to expect from the Engagements of the Sultan, and from the good Faith of this Country.

We confidently hope, that, by the joint Mediation of Great Britain and Russia, those Differences between the Turkish and Persian Governments which had recently led to Acts of Hostility will be speedily and amicably adjusted.

We beg to thank your Majesty for informing us, that Your Majesty has concluded with the Emperor of Russia a Treaty of Commerce and Navigation, which Your Majesty regards with great Satisfaction, as the Foundation of increased Intercourse between Your Majesty's Subjects and those of the Emperor, and for directing a Copy of this Treaty to be laid before us.

We thank Your Majesty for informing us, that complete Success has attended the recent Military Operations in Affghanistan, and for acquainting us, that Your Majesty entertains the highest Sense of the Ability with which these Operations have been directed, and of the Constancy and Valour that have been manifested by the European and Native Forces, by which the Superiority of Your Majesty's Arms has been established by decisive Victories on the Scenes of former Disaster, and the Liberation of Your Majesty's Subjects who were held in Captivity, and for whom Your Majesty has expressed the deepest Interest, has been effected.

We humbly thank Your Majesty for informing us, that it has not been deemed advisable to continue the Occupation by a Military Force of the Countries to the Westward of the Indus.

We share in Your Majesty's Regret at the diminished Receipt from some of the ordinary Sources of the Revenue.

In common with Your Majesty, we fear that it must be in part attributed to the reduced Consumption of many Articles caused by that Depression of the Manufacturing Industry of the Country which has so long prevailed, and which with Your Majesty we so deeply lament.

We assure Your Majesty, that in considering the present State of the Revenue we will bear in Mind that it has been materially affected by the extensive Reductions in the Import Duties which received our Sanction during the last Session of Parliament, and that little Progress has hitherto been made in the Collection of those Taxes which were imposed for the Purpose of supplying the Deficiency from that and other Causes.

We learn with Satisfaction that Your Majesty feels confident that the future Produce of the Revenue will be sufficient to meet every Exigency of the Public Service.

We tender our Acknowledgments to Your Majesty for Your Goodness in expressing the Gratification which Your Majesty derived from the Loyalty and affectionate Attachment manifested on the Occasion of Your Majesty's late Visit to Scotland.

We participate in the Concern expressed by Your Majesty, that in the course of the last Year the Public Peace in some of the Manufacturing Districts was seriously disturbed, and the Lives and Property of Your Majesty's Subjects were endangered by tumultuous Assemblages and Acts of Violence.

We rejoice to learn that the ordinary Law promptly enforced, was sufficient for the effectual Repression of those Disorders, and we confidently rely upon its Efficacy, and that, by the zealous Support of Your Majesty's loyal and peaceable Subjects, Tranquillity will be maintained.

We shall be prepared to take into consideration such Measures connected with the Improvement of the Law, and with various Questions of Domestic Policy, as may be submitted to us by Your Majesty's Direction.

Your Majesty may rest assured that our zealous Endeavours will be directed to the Promotion of the Public Welfare, and that we join in Your Majesty's Prayer, that the Favour of Divine Providence may direct and prosper our Counsels, and make them conducive to the Happiness and Contentment of Your Majesty's People.

The Earl of *Eglinton* in rising to second the motion that a humble Address be presented in answer to her Majesty's most gracious Speech, claimed every indulgence from their Lordships, as that was the first time he had had the honour of addressing them; and he trusted that their Lordships would pay more attention to the subjects on which he had to address them, than to the manner in which they should be brought before them. The difficulties of the duty imposed upon him were considerably lightened by the full and able manner in which the noble Earl, who had preceded him, had addressed himself to the subjects contained in her Majesty's Speech. Their Lordships, no doubt, had heard with the deepest attention the noble Earl address them upon the successes of their arms in India, having, as that noble Lord had justly remarked, an hereditary interest in that country. It must, he was sure, be most gratifying to their Lordships to know that the country was in a state of profound internal, as well as external, tranquillity; and that as those disturbances which had taken place in some of the manufacturing towns had given way before the ordinary authorities; and as agitation had in a great measure subsided, under the blessing, and he might even say, novelty, of a strong Government, so the clouds which for a while obscured our glory in the east, have cleared away into a more than usual brightness. Feeling deeply, as their Lordships must, the loss of life and the great loss of property occasioned by the disturbances, they had, however, the consolation of remembering that there was nothing in them bearing the appearance of political excitement, and that the excitement itself was confined to one portion of the country suffering distress; while it must be too well known to their Lordships, that other parts of the country that were suffering equal, if not greater privations, had yet borne them with a forbearance and a patience that must excite their Lordships' admiration. He trusted that the worst was over, and he also hoped that measures would be devised for the permanent relief of their overcrowded population. There was, however, one subject on which he could not congratulate their Lordships—that was the subject of the revenue; though he confessed he did not take the same gloomy view of it with the noble Earl who had preceded him. When their Lordships remembered the great changes which had received their sanction, they would also remember that sufficient time had not yet been given to judge of their effects. He trusted, however, they would be able to decide respecting them, 'when unanimity and tranquillity were established, and had spread their beneficial influence over them. He trusted that the next time that he came before their Lordships he would be able to notice these matters in a different spirit, and when he hoped to see them present a different aspect. Changes so important could not be made, and their effects determined, in a brief period. He most earnestly hoped, however, they would be allowed a full and impartial trial. This he said alike to those who, on the one hand, insisted that no change should have been made in the protection to the agricultural interest, as well as to those, on the other, who thought that no protection should be given to it. He called upon both to suspend their judgment until the experiment had been fairly tried. There was one subject alluded to in her Majesty's Speech which he could not pass over in silence, more particularly as it had been so especially committed to his charge by the noble Earl—he meant her Majesty's visit to Scotland. He trusted that their Lordships would forgive him, when he gave expression to feelings that he knew animated all his countrymen—the deep gratitude, the enthusiastic loyalty which that visit had occasioned. Her Majesty had come amongst them without pomp; she had trusted to the fidelity and loyalty of her people; and he ventured to hope and trust that no means had been left unemployed by them to prove that her Majesty did not reign merely over the persons, but that she was throned in the hearts of her Scotch subjects. The gracious allusion of her Majesty in her Speech led him to hope, that at no distant period her Majesty would again be pleased to cheer them with her presence, and he would say, in the words of the Russian soldier to the Emperor, " If we have done well this time, we shall endeavour to do better the next." When they looked abroad, he felt that they could not but experience exultation in their successes, crowned as they were with the blessings of peace. They had purchased peace by no inglorious concession, but peace was obtained by the bayonets of their brave soldiers. They conceded peace on fair terms, when they might have extorted whatever terms they chose to dictate. In this England acted unlike other nations, for her conduct was that of moderation in the very moment of victory; they sought for no further conquest—they proved that their only desire was to preserve their honour, and to establish their commerce. He could not, too, but congratulate them on the brilliant successes of their arms in Affghanistan, where our armies marched to victory over the ground that had been whitened by the bones of their murdered countrymen. Their conduct there reflected immortal honour on the men who had achieved those victories, and upon those under whose directions they had accomplished them. The successes in China, and the satisfactory as well as the humane manner in which they had terminated the horrors of that war, formed another subject of his hearty congratulations to their Lordships. For them, though their victories were gained over a less warlike nation, yet their effects were likely to be of more permanent benefit to this country. It is not the least glorious event that has to be recorded in the history of our country that we have carried our victorious arms to the walls of Nankin, a forced and almost unconditional surrender from a nation occupying so large a portion of the earth, and who have been as yet ignorant of foreign dictation. He could not, too, but congratulate their Lordships on what occurred in Syria, and which was, according to the pledge given by the Sultan, and by means of which this country could not but gain in character and in honour. It was, too, most satisfactory to know, that the differences between Turkey and Persia, had been referred to the joint consideration of this country and of Russia. It afforded not only the hope of a speedy termination of those differences, but it also showed the excellent understanding between England and that great empire. He had now to advert to another subject—it was one in which the most important success was gained—it was not achieved by the price of blood, but it was one for which they were indebted to the good sense and judgment of a noble Lord, a member of their Lordships' House—he referred to the adjustment of their differences with America. Sprung, as they were, from the same stock, speaking the same language, endowed with the same national characteristics of firmness and determination, it was most desirable, not only that no contentions should take place between them, but that they should be indissolubly united in the closest terms of amity and friendship. Looking, as he did, to the Americans as their natural allies, he could not but think that they gloried in the successes of England, as England did in their greatness; and, therefore, it must be a subject of congratulation to them, that their differences with such a country were not only at an end, but that they now began to be bound up with them in closer terms of alliance and friendship than heretofore. He did not think that the occasion of presenting an address to her Majesty was the fitting moment for the discussion of party politics; and he had carefully abstained from touching upon any thing which might excite a political contention. He well knew that every one of their Lordships was equally desirous with himself of the good of his country—he well knew that every one of them, like himself, identified himself with his country's glory. He knew that there was not one amongst them who did not read with exultation the accounts of their triumphs in the east—he knew there was not one who must not rejoice to see peace established over the world—who did not desire to see trade revived, and national prosperity established. These were no party triumphs. These were the subjects contained in the Address, and to which he ventured to ask their Lordships' unanimous assent. He did not mean to detain their Lordships further than by seconding the motion, that a humble Address be presented to her Majesty.

The Marquess of *Lansdowne:* "My Lords, though I am perfectly sure that the Speech which her Majesty has been advised to deliver from the Throne has been framed and calculated for the purpose of preventing the expression of any difference of opinion—and as the terms of the Address, which, as a matter of course, is to be proposed in return to that Speech, have also been so carefully framed—and though I am bound to admit that the speech of the noble Earl who moved the Address, and the speech of the noble Lord who seconded it, carefully followed the spirit in which her Majesty's Speech was couched—and though I concur in the propriety which induced them to abstain from delivering opinions upon anything that could give rise to controversy, or to introduce matters that could create a difference of opinion—yet there are, my Lords, topics unavoidably introduced into the Queen's Speech of that magnitude and of that importance, that it is impossible, on an occasion like the present, on the opening of Parliament, and on the first day of the Session, that they should be allowed to pass without observation, and without remark. I feel I may naturally confine myself to a few observations, and but to a mere remark, because undoubtedly there is no expression in that Speech, subject to such explanation as I may give to it, in which I cannot cordially concur. In the first place, I am glad to perceive, because it has the effect of procuring that general concurrence which must be considered as so desirable, that no allusion has been made to the operation of the Corn-laws. I approve, my Lords, of the silence and the discretion which has been observed in that respect. If, indeed, we had been called upon to express anything like an opinion (that which we are not invited to do) as to the working of the measure proposed last year—I say, my Lords, that if this had been done, then it would have been my painful duty, with what success it is not for me to say, but still to endeavour to persuade you that the operation of that law, as far as I am acquainted with the fact, has been such that it would be impossible for your Lordships to give it your approbation; because, testing that law by the only test by which you can ever consider such a law—(that is, if you are to have a Corn-law at all, the one by which you must try it—namely, of testing it by the fact whether it has interfered as little as possible with the movements of trade, and the operations of commerce), applying, my Lords, that test to the Corn-law of last year, I believe I cannot be contradicted, when I say that there never has been a period in which the convulsions of trade have been greater, as connected with that law. Never has there, my Lords, been a period when there was such a burst and flood of foreign corn pressing into the market by the sudden opening of the ports, at a period when it was least useful to the consumer, and most fatal to the interests of the parties engaged in that traffic. By the operation of this law, it was seen that, in the course of two or three weeks, not less than two millions of quarters of corn were thrown into the markets of this country, when, at other times, such was the course and operation of the law, that not half a million was admitted. I say, then, that the very statement of these facts is such, that it would be impossible, without any information very different from that of which we are in possession for Parliament to approve of that law. I applaud, my Lords, the discretion of her Majesty's advisers in omitting such a topic, and I applaud the discretion which has been evinced by the noble Earl who so ably moved the Address, in not calling upon your Lordships to pronounce any opinion upon that subject, nor in desiring that your Lordships should say anything in approval of it. The effect of the omission I feel to be this, that in assenting to that Address I retain my opinion as to the operation of a law, the discussion on which has been so carefully avoided. So much, then, my Lords, for what is not contained in the Speech, nor in the terms of the Address. I then come, my Lords, to those topics which have naturally and necessarily been introduced into the Speech." The noble Marquess proceeded to say that he looked upon one of these, not of the first importance, yet one of very great importance, the subject on which the noble Earl had dilated with such address—the conclusion of a treaty between this country and the United States of America, relating to the boundary question, and which had long been between this country and the United States a matter of dispute. He did so entirely agree in the sentiments expressed by the noble Earl, as to the satisfaction he felt in the good understanding which hitherto had prevailed between this country and the United States, and that might now be expected hereafter to prevail; he did so entirely agree in the importance of that good understanding between nations of one common origin, bound by common ties, and which their common commercial pursuits ought to make firm friends, and that he hoped ever to see united, joining with the noble Earl in the sentiments that he had expressed, and that he himself entertained strongly as a man could do, and having entertained and expressed those sentiments at a period when they did not find so much favour in that House as he was happy to think at the present moment—entertaining the sentiments which the noble Earl had expressed, and desirous as he was to promote a good understanding, entertaining no other sentiments than those of cordial and friendly feelings towards that country, and having, too, been long in habits of frequent intercourse with his noble Friend who had negotiated and conducted the treaty with the United States, he was one of the last persons in the world disposed, and because the least disposed, the least qualified to become the accuser, or to pass a hostile criticism on the terms of a treaty which, on the whole, he was glad had been concluded. But with the feelings that he thus expressed and sincerely entertained, he could not go the length of saying, that he, as an individual, or the Parliament, were to be relieved from the necessary, fair, and just consideration of the terms of that treaty, and by which the object they desired had been obtained, and the negotiations with which it had been carried on. He was not disposed to go the length of asking of their Lordships to go into a consideration of the terms of the treaty. He did not quarrel with it because large concessions had been made. He did not cast any blame whatever on the treaty, because it had not strictly adhered to what was the right frontier, that which was the particular subject of the negotiation, for he thought it was not necessary, nor would it be becoming in this country to insist that that which he might term its strict rights should be literally carried into execution, when the danger of war might be avoided by a wise and just concession. He did not blame them for making large concessions to the United States—he did not blame them even for allowing the free navigation of the St. John's, a great boon to offer for equivalents, but he did lament that conceding it his noble Friend should have thought himself obliged also after being instructed to state, that to abandon the Madawaska settlement was hardship and cruelty to the colonists, he should have consented in a negotiation not carried on as a suppliant for accommodation, to abandon it, and that upon no other ground than the St. John's being a convenient boundary, when with some trouble that convenience as a boundary was sacrificed a little higher up, when it became convenient to America, to have part of the territory on the northern side. He did not say that it was not useful to have made those concessions—he did not say, that it was not right to have acquiesced in those great concessions; but he deplored that, when they had negotiated with that country, they were not able to include other matters, and have upon those a satisfactory settlement with the United States. It was to be deplored that much still remained unsettled—he did not say which might be the cause of war, for he trusted in God that nothing so insane as a war between this country and the United States should occur; but still he deplored that anything should have been left unsettled, which might be the cause of misunderstanding, or which might produce disagreeable feelings, that might grow out of these points not being determined. Undoubtedly, expressing as he did his individual satisfaction at the conclusion of the treaty, and that by his noble Friend one door to hostilities had been closed, and one source of irritation had been removed, yet it was painful to find that no sooner had one door been closed, no sooner had one frontier question been settled, than another door was opened, and another frontier question had to be determined. Even before the wax bearing the impress of their seal to the treaty had become cold, before the breath, even of the negotiators had ceased its utterance, they had to turn from the frontier of New Brunswick to the Oregon—they had to pass from the banks of the St. John's River to the Columbia. They knew from the highest authority in the United States that that question was now open—that there was new matter for negotiation—that new claims were asserted, and had yet to be determined. He lamented, then, when such concessions had been made as the means of procuring peace, that the peace was so likely to be disturbed by new and dangerous discussions. He did lament, too, that advantage was not taken of the opportunity to settle permanently the difficulties connected with the right of search, and which was requisite for the suppression of that most odious, most unnatural traffic, most disgraceful to humanity, that had ever been carried on, and that never should have been sanctioned, much less tolerated, by any civilized country. It was impossible not to admit, her Majesty's Ministers must admit, because it was notorious to all the world, that the important principle of the right of search had greatly receded from that position which it had occupied at no more distant period than this time last year. It was in the month of January last year that M. St. Aulaire had signed a treaty sanctioning the right, and yet from what had since taken place, it was well known to their Lordships — it must be seen from the discussions that had taken place in other countries, that the reason, he did not say that it was justly assigned, but still the reason given in another country for seeking to depart from the treaty it had agreed to, was the failure on the part of this country to obtain even a modified recognition of it from the United States—that the negotiations of this country had led to nothing but the distinct declaration on the part of America that she never would admit the right of search. This it was that had furnished to other nations the appearance of an acquiescence in this, and this it was which was made the pretext with them for departing from a policy in which they had so honourably concurred. He therefore lamented, not only the absence of a clause on this subject in the treaty, but also that this country should have appeared to acquiesce in the distinct declaration of America that she never would coincide in a principle the maintenance of which was essential to the suppression of the Slave-trade. From the treaty with America, he came to those transactions to which the noble Lord had referred, and to which they were invited by the language in her Majesty's Speech. He had heard with the greatest satisfaction the terms in which the noble Earl and the noble Lord had expressed themselves with regard to the bravery and valour displayed by our troops in vindicating the dignity and honour of this country. He concurred, undoubtedly, in the panegyric which had been pronounced upon the exploits of our soldiers; because if the noble Lord spoke with the authority of her Majesty's Ministers, they said that which was in contradiction to what circumstances, at least for a time, gave the appearance of truth—to what, if it were not clearly to be known, at least might be surmised—that the noble Governor-General of India was indisposed to re-enter that country for the purpose either of establishing the authority of her Majesty or of vindicating the honour of the army. There were circumstances of delay in that undertaking [The Duke of *Wellington:* Take care, take care.] Those circumstances of delay in the undertaking gave the appearance to which he had alluded; but he hoped that that delay was not occasioned by any hesitation as to what was the right course to be pursued, or by any hesitation as to what was the right mode by which the honour of this country was to be vindicated; for, as to the means of attaining that object, they were abundantly supplied by his noble Friend, and through them that object was afterwards successfully accomplished. He hoped, then, whatever might be the appearances, that no such hesitation was really entertained, both as to the recovery of the prisoners and the recovery of their military honour—both objects most dear to them, and for which every means should have been employed, every nerve within their power should be strained. There were other matters connected with the subject of the retreat of a painful nature to which he would not allude particularly until distinct information concerning them was laid before the House. There were also certain documents, purporting to be proclamations, issued in that country, but which certainly rather resembled the public announcements of its former rulers, the Sultans and Shahs, from whose passions and ambition India suffered in former times, than those of an English Government, and seemed rather to imitate the ostentation and the caprices of the former, than the temper, firmness, and sobriety which should characterise the latter, and upon which would be found to depend the confidence of the natives in their rulers, these documents were authentic, they were fully open to such observations; but at present he would advert to them no further, but pass from this subject, which was more or less of a mixed and painful character, though connected with the successful valour and brilliant achievements of her Majesty's officers and troops—let him add, not European troops only, but also the native soldiers of India, whose fidelity had been tested under the most adverse circumstances, and on whom our hold upon our Indian dominions so essentially depended. But he passed to another topic on which it was most satisfactory to think that, with regard to almost every step of the proceeding, there could be on the part of most, if not all men, but one feeling of sympathy and self-congratulation. With respect to the many circumstances which had led to the brilliant result of the war carried on on the coast of China, whether they looked at the instructions under which the expedition was originally undertaken, or the manner in which it was carried on, by the discretion and zeal of the persons selected to conduct it, he must say, that, with respect to every part of those transactions, there could be but one feeling of satisfaction, except among those, if any now remained, who doubted the justice of the expedition. If he had been one of those who thought the war essentially unjust—if he had been one of those who thought that they ought originally to have submitted to the insults, founded on the ignorance of the Chinese government, which had been offered to ours, and who thought that the English Government ought to have submitted to become the police of the Emperor of China for the purpose of carrying out his edicts, instead of maintaining the right to trade which England had so long enjoyed, and which she had a right to proclaim that she would enjoy for the future, on the ground of positive agreement and stipulations—if he had entertained those opinions, he could not have joined in congratulating her Majesty on the success which had attended her Majesty's arms. But feeling, on the contrary, that the war was just and necessary, he rejoiced that in every step of those proceedings the most anxious desire had been shown by the Government of this country to come to terms with China at the least expense of Chinese life and property, and with the least pressure that could be applied for the purpose of effecting the object in view. However, in noticing this particular, he could not but allude to one sentence which had been, perhaps, inadvertently introduced into the Speech from the Throne, and which appeared to convey something that he thought could not be distinctly affirmed. It was stated in the Speech that

> "The increased exertions which by the liberality of Parliament, her Majesty was enabled to make for the termination of hostilities with China have been eminently successful."

He did not know what act of liberality on the part of Parliament was referred to, and which could be considered as the cause of the success of the war. There was no act of liberality on the part of Parliament but the financial measures of last year. Those were certainly extremely liberal. But was it the Income-tax that enabled her Majesty's Ministers to make increased exertions in China? There must have been an intense desire to say something in favour of the Income-tax without naming it, to have led to the introduction of such an observation. He was a little familiar with the concoction of Royal Speeches, and he could imagine that when all the paragraphs were made up, it occurred to some one that they ought to have a sentence in favour of the Income-tax, and then it was suggested that they might endeavour to connect it with the conquests in China. He had heard of odd clauses added to bills in the House of Commons, but never of so singular a tact as this connection of the conquests in China with the financial measures of last year. The fact was directly contrary. There was not one design entertained by her Majesty's Government, either the last or the present—not one step taken—that might not have been taken previously to those financial measures being introduced. He affirmed, without fear of contradiction, that the increased means which were employed in the Chinese war, were the means suggested to the government at home by his noble Friend, the late Governor-general of India, immediately on hearing of the failure of the negotiations with Keshen. It was made a matter of reproach—but he thought it no matter of reproach—that they had so long hoped for accommodation with China through negotiation, and without the application of military force; but from the moment that the negotiations of the government of China, through the ignorance of the Chinese government, were of no avail, that particular description of force which was since employed in effecting the most extended operations, was pointed out by the late Governor-general of India, and was accepted and approved of by his successor. It consisted of some regiments of sepoys, which were in readiness, long before the Income-tax, for carrying on the war, with the addition of one European regiment. Those four regiments of sepoys were the identical description of force sent to China, and constituted the increased means of warfare, quite independently of the supposed liberality of Parliament. And not only the force but the scheme of operations in which it was employed, was pointed out, and, to a great extent, acted upon. While upon the subject, he wished to advert to a topic of infinitely greater consequence than the amount of force sent to China, or the time of sending it—a topic connected with the great object of opening China to the rest of the world, and to which the attention of Parliament and of her Majesty's Ministers should be especially directed, as having relation, not to the interests of the present moment, or the triumph and glory of this particular power, but to the future prospects of humanity, and affecting the interests of every country in Europe. The magnitude of this object, in reference to its ultimate possible results, could not probably be overrated. It was inferior in the magnitude of its bearings, on the interest of the world, only to that great revolution caused by the discovery of the transatlantic countries three centuries ago, the consequences of which those three centuries had but imperfectly developed; that great discovery which had induced one of the greatest writers of this country to apply to it the words—

> "Time's noblest offspring is its last."

The late event resembled the discovery of America, since it opened almost as great a portion of the globe, a country measuring twenty degrees of latitude by twenty degrees of longitude, to the vivifying influence of communication with us. It was not, however, like America, thinly peopled, but contained a population of hundreds of millions, who, it might be expected, were prepared for intercourse with this country, and ready to receive that communication, and that impulse which it was in the power of European countries, and, above all, of this country to supply. But it would require all the skill, attention, and assiduity of the Government and of individuals to lay a foundation for that intercourse which was of so much importance. The utmost care should be taken to prevent any kind of injustice, or any kind of violence, and not only the rights, but the prejudices of the Chinese people should be respected, so that they should regard us as entering that country not with the feelings of victors, but as friends wishing to place our communications with them on a footing of justice and equality. On their success in diffusing such feelings amongst the Chinese population, would depend the good, which, under Providence, they ought to be the means of accomplishing. He trusted, therefore, that her Majesty's Government would give attention to this subject, and that means would be devised for giving additionol security to our commercial relations, by placing those engaged in commerce there under some local authority, and by a judicious selection of persons in whom such authority might be vested. He did not speak with distrust of her Majesty's Ministers, or of the noble Lord with whom the appointment of such functionaries, whether consuls or others, would rest; but he would say, that a heavier responsibility never rested on any one than the responsibility of such appointments. [The *Duke of Wellington:* Hear.] He did not mean to express any doubt of what the conduct of the Government would be, but he hoped they would not be backward in arming the parties so appointed with legal powers sufficient to ensure due control, and to give every security that could be given, for the due regulation of an intercourse so fraught with important consequences to the interests of the world—consequences which would continue to operate long after the present generation had ceased to exist. He ventured to throw out these considerations, because they presented themselves strongly to his mind. He would only add, that upon the successful result of the war he did most sincerely congratulate her Majesty's Government, and congratulate the country, for he believed there was hardly one man who had not reaon to feel that his own individual interest, as well as the interest of the country at large, had been benefited. The next part of the Speech from the Throne to which he would refer was that in which her Majesty's advisers admitted the distressed state of the country. He was glad of that admission, and he hardly thought the existence of that distress could be stated in too strong terms. When it was stated that the power of the law had been found efficacious in putting down the disturbances created by that distress, he thought it presented another subject of congratulation, especially when it was recollected, that in the excitement caused by those disturbances, there had been less positive loss of property or life than in any similar case had ever been heard of. They had also to recollect that some of the districts in which suffering had been most deeply felt had exhibited a forbearance, an acquiescence in a state of things they deemed unjust, and a patient waiting for the relief which Parliament might administer, which reflected the highest honour on them, and which would hardly have been exhibited at any former period of our history. This should add, if anything could add, to the desire of her Majesty's Government and of Parliament, to make any sacrifice that they could make, and to administer any remedy in their power which might palliate distress endured with so much patience. The noble Marquess concluded with stating, that he had spoken at greater length than he intended on some points which seemed to call for remark, but he had no intention to oppose the Address.

The Duke of *Wellington* said: I did hope that the tenor of the Speech delivered by her Majesty's commands from the Throne, and of the able speeches of my two noble friends near me, the noble mover and the noble seconder of the Address, would have induced the noble Marquess (if he thought proper to make any observation at all) to abstain from that description of observation upon which it would be necessary for me to enter into any explanation. However, the noble Marquess has thought proper to attack the Speech on the score of its veracity. We are told that her Majesty has been advised to advert to the liberality of Parliament as having enabled her Majesty's forces to bring the war in China to an early and successful termination, but that we have made no mention of the Income-tax as an instance of that liberality. My lords, I beg your lordships to recollect that the common course of parliamentary proceedings—I should say the ordinary course (for it was not the course during the administration of the noble Lord opposite)—is for her Majesty's Government, when engaged in war to come down with an estimate of the force necessary for carrying it on, the expense thereof, and the whole means for finding the money to pay that expense. It is perfectly true that that course was totally abandoned by the noble lords opposite when they were in office. They carried on war all over the world with a peace establishment, and they concluded that those who succeeded them would do the same. Now, my Lords, that is exactly what we do not. The noble Marquess stated that if he had been one of those who conceived that we ought to have submitted to the conduct of the officers of the Emperor of China, and to have turned ourselves into customhouse officers for that country, he not only would not recommend the Speech from the Throne, but could not join in approbation of the Address. My Lords, I beg the noble Marquess to recollect that I believe I was almost the only individual who stated that the real ground of complaint against the Chinese government was its conduct towards the person employed in the service of her Majesty, and representing her Majesty in China. When a motion was made by my noble Friend near me, I believe I was the only person who defended her Majesty's servants. I said that the war was a just and necessary war; I will go farther, and say if it had been otherwise—if it had been a war solely on the score of the robbery of the opium—if her Majesty's government were engaged in that war, and if their interests and honour were involved in it, I should have considered it my duty to make every effort for carrying it on with success, and have asked Parliament for the assistance which would have enabled her Majesty's servants to bring it to an early and successful termination. But I declared formerly, and have always declared, that I thought her Majesty's cause a just one, and I said so when I was the only man in the House, whether minister or otherwise, to support her Majesty's servants. I was a party to the war, and afterwards to advising her Majesty on the measures to be carried into execution, in order to bring the war to a conclusion. What did her Majesty's servants do? They recommended her Majesty to call on Parliament for a grant of additional forces and for a grant of a far larger sum of money than had been granted, in a former year, for carrying on that particular service. But more, my lords. Not a week after they came into office they sent orders to India to prepare to send reinforcements to China; and reinforcements were sent from England: first, of troops, and of ships as soon as they could be prepared. Those troops and ships arrived, and were engaged in the operations which brought the war to a close, immediately previous to the negotiation for peace. So much for the veracity of the Speech. But it appears that the same plan and the same operations were carried on by the former Government. I beg the noble Lord's pardon. He forgets altogether the operations at Chusan. He forgets the troops being withdrawn from the settlements at the northern part of the Chinese seas, and the going down to Canton. He forgets the many months lost at the commencement of the campaign. And he leaves out of mind the orders sent from India in September and October last, because it is desired to represent in the House that a statement in the Speech, delivered by her Majesty's command, wants veracity. Then, my Lords, the noble Marquess comes with recommendations very sensible and wise as to the manner in which we ought to proceed in order to carry on our commercial intercourse with China, and he tells us that all will depend on the measures which may be first adopted on the subject. That is very true, and I hope that if such measures are adopted they will be carried into execution. The execution was what was forgotten by the Government of the noble lords opposite. They had a very fine scheme—an admirable plan for establishing a jurisdiction over British subjects in China—and a variety of measures which, if adopted, would probably have prevented the recent squabbles, but not one of these was ever adopted. I happened to be in office for a short time, and I left a memorandum recommending measures to be adopted. But during the time noble lords opposite were in office, and up to the time of the war breaking out, not one measure did they carry into execution. Now, my Lords, if we adopt wise measures, I hope we shall carry them into execution. Having said so much of China, I will advert to a part of the subject which I certainly hoped the noble Marquess, taking example from the moderation of the Speech from the Throne, and of the speeches of my noble Friends near me, would have avoided—I did hope he would have avoided all topics of irritation, and have confined himself to the military topics in the Speech from the Throne, without adverting to persons not here present. If we are to have discussions on the important subject of India, it would be better to confine the discussion of this night to the questions placed before us by her Majesty's Government. I think no reference need be made to anterior transactions, or the disasters which have occurred. Those disasters must be admitted, as to the facts they cannot be denied. But the noble Marquess has referred to orders given for the movements of the troops. Now, I have seen something of Governors-general, and I know some little of military affairs and military difficulties; and I must say this—that I stand prepared, on any day, to justify every order for movement, whether one way or the other, that the Governor-general has given, from the moment in which he took on him to administer the Government of India to the present moment. I shall be ready, my Lords, whenever the noble Marquess or any other person shall make any charges, none of which are yet made, to reply to them, and to defend my noble Friend. I say, that the Governor-general, as soon as he accepted the Government, did as much as was in his power, considering the state of the preparations which he found on his arrival. It was not possible for any man to do more, and every order which he gave for the troops to halt or to march was necessary, considering the insufficiency of the troops. No blame can be thrown on his acts, which were the consequences of omissions before he arrived in India. I will say, that in the absence of any servant of the Crown I should be ready to defend him, but I firmly believe my noble Friend has done his duty. I am sorry to say one word on this subject. I was sorry to hear the noble Marquess refer to it; I warned him at the time that I did not wish to say anything in defence of my noble Friend, and I now only wish to show, that there was no want of attention on the part of my noble Friend the Governor-general, but of those who preceded him. I have no more observations to make, but I wish to say, in relation to the terms of the treaty concluded with the United States, that I think it is not fair to my noble Friend (Lord Ashburton) to enter into that subject till all the papers are before the House. Your Lordships will then have an opportunity of considering on what grounds the different points of the treaty rest, and what my noble Friend can state in justification of the treaty. I must likewise observe, that when the noble Marquess objects to the terms of the treaty adopted by my noble Friend, he forgets the adoption of the award of the arbitrator by the Government of which the noble Marquess was a Member, and which embraced all the points for which the noble Marquess blamed my noble Friend. Under these circumstances, I think my noble Friend has most satisfactorily concluded the treaty. The fact is, that the treaty of peace, called the treaty of Ghent, was never carried into execution, because the United States wished for one line, and we wished for another, and the line intended by the treaty was not defined. The question was referred to arbitration, and the arbitrator gave his award. England adopted that award; the United States did not. My noble Friend adopted a new line, and his proposal led to a new arrangement. I will not enter into the discussion before the papers are laid on the Table, and when they are they will throw no blame on my noble Friend. I believe that the arrangement he has made is most satisfactory to the country, particularly as it puts an end to the question in dispute, and puts an end to the heats and anger which existed between the two countries, and which embraced the leading interests of both.

Lord *Brougham.* I have followed with the greatest interest the impressive and able speech of my noble friend opposite (the Duke of Wellington), who speaks on whatever subject comes before the House with the greatest weight of authority, and in a manner to command the greatest attention and excite the greatest interest; but who upon this particular occasion, when he was to deal with subjects of which he of all men may be said to know the most, and to be the highest living authority, upon them, must needs rivet, as in point of fact he has rivetted, the attention of your Lordships. Nevertheless, my Lords, because my noble Friend has left out one or two material considerations that now force themselves on my mind, and because I think that those considerations involve interests of the very highest order for the prosperity and the peace of this country, I deem it to be my bounden duty to trespass for a little while upon your attention, while I entreat your attention to the subject. Now, first, with respect to the American treaty, I heartily concur with my noble Friend the noble Marquess behind me (the Marquess of Lansdowne) and with the noble Duke in expressing a sentiment, I believe common to all parties—to all men both in and out of Parliament—a sentiment of universal exultation, that the differences with America are at length settled. And as to the terms of that settlement—as to the territory which is affected by the line of boundary that we have heard so much talked of to-night, and so much more and so much less wisely talked of out of doors, I profess for myself to be of this opinion—(a heresy, I doubt not, as it will be regarded by some, perhaps by my noble Friends behind me)—I so infinitely overvalue, perhaps, the importance, the vital importance, to the interests of this country and of mankind at large, of a good understanding, of a cordial, friendly footing, being restored between this country and our kinsmen of America, that I care not how this line of boundary is drawn. I am utterly indifferent what direction that line takes, let it go a few miles or leagues to the right hand or to the left hand, even let it affect Cape Rous, even let it affect the navigation of St. John's river—welcome! take it all! Give it up! only give me peace between America and England. But, my Lords, I am not left to that in defending the treaty of my noble Friend opposite. This is a warfare, if it may be so called—for it is only a harmless warfare of political conflict, in which I and my noble Friend who has now happily terminated the American differences about which we have been negotiating, I am afraid we must both of us say, nearly a quarter of a century, have together been engaged, indeed both of us have been engaged in it ever since the year 1807. Since that period my noble Friend and I have been allies in these controversies, and, whether in or out of doors, very few persons have applied more attention to or have had more familiar acquaintance with the matters in dispute. I have thus a peculiar interest in the success of my noble Friend's negotiations, and I feel a little of the pride of an old ally with him in his present success, as I share with all my countrymen whose opinions are worth having in thanking, from the bottom of my heart, my noble Friend for the skill, the tempered firmness and conciliation, with which he—and I firmly believe, partly from his own intrinsic qualities and partly from accidental circumstances connecting him with the people of the United States, he alone, of all her Majesty's subjects (so happy was the choice of a negociator made in him), could have brought that negotiation to its present successful close, and by which not only he gave us peace, but he restored cordial good understanding, and brought back that feeling of mutual goodwill that unhappily had been so long disturbed. But now, my Lords, as to the defence of my noble Friend's negotiation. "The line of boundary," says the noble Marquess behind me, "was so driven as to imply—to involve, great concession on our part.' "Concession" is the word tried in the more temperate and judicious diction of my noble Friend. "Capitulation" is the word used by the less well-informed, and more ignorant, and more factious critics of the negotiation out of doors. But they are equally wrong,—whether the "concession-men," or the "capitulation-men," they are equally wrong or equally forgetful of the facts to their discredit on which my noble Friend's treaty turns. For, how stands the fact? Two charges only are brought to-night; when others are brought it will be time to meet them; these two charges are, the large concessions which the drawing of that line of boundary made, and in return for which we ought it is said to have obtained counter-concessions as a compensation. How many, and what kind of concessions did the award of his Majesty the King of the Netherlands give us when he drew, as my noble Friend the noble Duke opposite justly observed, the self-same line of boundary which my noble Friend has conceded, with this one exception, that part of it came within our boundary and cut off a considerable portion of one of our provinces, but which my noble Friend, departing from the line of the King of the Netherlands, has obtained for us, and as a concession from the Americans? Now they who at this day choose to cavil at my noble Friend's boundary, were quite ready and willing to accept the self-same boundary under that king's award and quarrelled with America for refusing it. So much for their candour and fairness. But are these leagues, or a few square leagues, or 100 square leagues of the barren or forest territory of that country to stand in the way of an honest, and hearty, and entire approval of the great and inestimable good which has been obtained by restoring peace with America, and putting an end to squabblings with that country? The amount or the value of such leagues in the scale, I will not stoop to consider.—I will not condescend to weigh the one against the other—the feather against the pure gold. But then comes the navigation of the river St. John, and that I admit formed no part of the King of the Netherlands' award, he only awarding the boundary line; and my noble Friend is charged with making a large concession—"concession" here, "capitulation" elsewhere—of the navigation of the St. John's River. That river flows, as is well known, into the Bay of Fundy, through three descriptions of territory. One portion of the stream flows through American territory only, another portion through territory on one side American and on the other side English, and a third portion, and by far the most material portion, through English colonial territory on both sides of the stream. Now, to any person so well versed, I will not say in geography, but in questions of navigation and of trade, as my noble Friend (Lord Lansdowne)—even to a person who professes ignorance, as I do on such questions, pretending only to have a general information on such subjects—even to one so little informed, it appears obvious on the slightest consideration that of the three descriptions, of course, by far the most important to have, and by far the most important not to have given up, is precisely the third, or that on which you have the territory on both sides; because, by having the territory on both sides, you command that navigation; you effectually keep in your hand all the trade on the upper and more inland part of the river. Now, again repeating that this whole question is, in my view of the subject, of infinitely small importance compared with the great object gained, even if the navigation were given up altogether, it does so happen that that part of the navigation which we retain the possession of, is the third and last that I have described; whereby the result is, and must of necessity be, that we command the trade of the upper part—or the more inland part—the American part—to the Bay of Fundy. My Lords, I here leave the question of the American treaty, once more expressing my hearty and entire satisfaction with it, and my gratitude to my noble Friend—my exultation as a British subject, and, I may add, as a citizen of the world—that these apparently endless disputes between the two countries are at length brought to an honourable and a happy termination. And now, my Lords, suffer me to carry your attention, for one moment, from the west to the east, as regards her Majesty's Speech, and to express, in common with my noble Friend behind me, and in common with the noble Duke, as well as with the noble mover and seconder of the Address, the exultation we all must feel at the happy termination of the war—they call it "the glorious termination of the war in Affghanistan;" I am disposed to call it the happy event of our being delivered from that war. My Lords, no one can have listened to the justification pronounced of my noble Friend the Governor-general of India by the noble Duke without feeling the great importance of that opinion, its almost decisive weight in the scale (if the scale had hung doubtful), whether for attack or defence, for the acquittal or condemnation of the Governor-general's conduct. The pronouncing of that opinion by the highest living authority upon military subjects—whether in Asia or in Europe—the pronouncing of an acquittal so decisively and so heartily as my noble Friend has to-night pronounced it upon the Governor-general, cannot fail to have all over the world a most important influence in this discussion. But in the midst of all these triumphs—of all these happy events—of the great happiness of our escape from disaster—the result of great and glaring impolicy—in the midst of all this smiling scene, from the despatches to which my noble Friend behind me (the Marquess of Lansdowne) has directed your attention, there weighs something on my mind which, though ready to wait for explanation, and anxious that that explanation should result in acquittal, I confess gives me some pain,—

> "——— Medio de fonte leporum
> "Surgit amari aliquid, quod in ipsis floribus angat."

My Lords, I have seen—it may be capable of explanation, it may be possible to extenuate it, it may even, for aught I know, be possible to justify and defend it—but I have seen, with anxious pain and grief, and let me add, as an Englishman viewing the conduct of my countrymen brought before the bar of public opinion all over Europe—I have seen, with a pang of shame, certain passages that have accompanied the termination, otherwise felicitous and glorious, of these unhappy and inglorious hostilities. Prodigious works of human industry, mighty remains of the skill, as well as the wealth of past ages,—vast monuments of ancient industry and taste—great bazaars, the resort of trade, and the sources of peaceful commercial prosperity, levelled with the ground and their fragments scattered in the dust—great cities set fire to by the avowal of the incendiary general himself in four several places in one night—troops let loose upon the unoffending people by the avowal, not of the captain, but at least of a military eye-witness who participated in the slaughter—people hunted down—"thousands of individuals hunted down" is the phrase, "like vermin, for two days and two nights." These, my Lords, are sad, they are terrific passages in our recent Indian story. All this, for aught I know, may be explained and palliated—all this for aught I can tell (and God grant it be so), may receive its full justification; but as at present advised I confess I heard with pain, with horror, and with shame, these passages which accompanied the end of the Affghan war. My Lords, I am bid to look, as the justification for such excesses, to the excesses previously committed against our own troops; and I well know, that when once you go to war—and it is exactly upon this account more than any other that I abhor war as the greatest of human crimes—I know, as who does not? that the skilful mind, the humane temper, the steady hand which had held up the dogs of war when they are once unslipped, is utterly impotent to chain them up again, and must lay its account with standing by the helpless witness of the horrors those furies commit. This I am aware of, and to all the benefit that will accrue in defence or palliation which may result from these considerations, they who were so lately concerned in these transactions are welcome at my hands. But this I further do know, that if exasperation—if exasperation of our soldiers is to be the defence of these transactions—if it be said that our regiments could not bear to see the ground over which they passed bleached with the bones of their countrymen who had perished on the same spot last year by the hands of those they were sent to attack—if this is to be the defence, then I naturally ask, whose fault was it that they were there? How came they to be in that country to be massacred? Whence arose these horrors? What gave rise to these scenes of slaughter? By whom, in consequence of what, through whose plans or whose policy did it occur that these visions of blood were presented to the sight? I say, those who went there—those who made the aggression on the Affghan territory—they have themselves to thank and those that sent them, for these cruelties. When men invade a country they must not expect the invaded to be very nice as to the means they employ in their self-defence or in their vengeance There is a great difference with respect to cruelties committed in repelling aggression and those perpetrated in making it. Let us suppose a case—let us even take an example from what has passed within the recollection of most of us—let us suppose the case of a French army passing through Prussia, on their way to Moscow, being defeated and being exposed in their retreat to the vengeance of the very Prussian peasantry whom they had aggrieved on their passage. I never yet heard, hardly even a Frenchman, certainly never an Englishman, make use of any very harsh expressions of blame towards the Prussians for their conduct towards the French army, for it was naturally felt that they made the attack, and must expect to be roughly treated in return. But I will put the case in another way. The Affghans are not Christians: we are. Let us apply the fundamental rule of Christianity; and make the case our own. Suppose we were invaded—I will not say by an Affghan, but by a civilised force—suppose they should get possession of a part of the country, and great resistance should be made, lest they should go further. Would any man living be so scrupulous, so nice as greatly to blame the peasantry of the country for cutting off every man living of that force, whether general or captain, or subaltern or private, aye, or even merely camp follower, who fell into the hands of those aggrieved by the violence of the invasion? And yet what are the Affghans charged with—what do you lay to their blame—except that they, not being Christians, not being civilised, exercised some degree of cruelty towards a Christian and a civilised soldiery sent into their territory for political purposes, founded on views, very profound and wise, no doubt, but of which they, having no earthly concern with them, took no earthly heed, only caring for the safety of themselves, of their wives, and of their cottages, which in your profound policy you thought fit to invade? This course they took, and because they took it a devastation is committed — ruthless— but as needless as it was ruthless—a superfluous devastation, having no purpose, no object; because the object — the purpose of the movement—was answered in the occupation of their country, and release of their captives; a devastation only committed, as it would seem, to gratify a fierce, a brutal, an unchristian spirit of vengeance, or to work out a policy to which I will give no harsh or vituperative name, but of which I will say that it is a weak, an empty, a self-repugnant, aye, and a self-destructive policy—that policy being to impress a notion, to leave a recollection of your power upon the nations of the East, forgetting that at the same time you are impressing it you are also leaving on their minds an unquenchable abhorrence of the European name and character; or, at least, of the name and character of the British Europeans. My Lords, I did not think it inconsistent with my duty to take advantage of this occasion to enter my protest against these cruel barbarities—a protest, I beg leave to say, entirely without factious, or personal, or invidious objects, but, as I believe, in accordance with views which are shared by others at home and abroad, nay I am confident shared by my noble friends opposite themselves. My Lords, I cannot close these observations without adverting to another part of the Speech, from which I have also derived unmingled satisfaction,—I refer to her Majesty's assurance of the earnest desire of foreign powers to co-operate with her Majesty in the maintenance of general peace. My Lords, I here particularly refer to that foreign power, peace with which implies peace with all Europe—I might almost say with all the world—I mean the great kingdom of France. Nothing could be more unfortunate than that spirit which lately prevailed in France, but which is now, I am glad to believe, on the decline, — I mean that contentious spirit of finding fault with the conduct of Great Britain on every question she takes in hand, blaming all she does, regards her successes with grudging envy, her disasters with exultation, and especially of condemning her with regard to the course she desires to pursue respecting the important question of the slave trade, and the right of search. With respect to this subject I am more especially anxious to offer a few observations, believing, without vanity, that my entering into the question may have a salutary effect elsewhere in leading towards its settlement. My Lords, there exists in France an extraordinary degree of ignorance on this subject,—not among the lower orders, but among men of some mark—an ignorance which I own fairly I could not have believed possible if I had not had evidence of it very lately, even within the last fortnight, the evidence of my own eyes and ears. This ignorance too, let it be understood, is not confined to interested persons

—to the West-Indian party and their hired agents in the chambers or in the press, for they notoriously have hired agents in both —but it exists among men far better informed, and most unlikely to be made the tools of any sect or faction. I have with my own ears heard some of them declare, what but that I had so heard I could not have believed any man capable of saying,

> "Oh, England cares nothing for the right of search as regards the abolition of the slave-trade; she only wants to get her foot on the principle by which she shall establish an absolute claim to a maritime superiority—to what she calls the sovereignty of the seas."

These arguments, and such as these, are at the bottom of the objections which prevented the treaty of 1841 from being executed, and at the bottom of the desire to break the treaties of 1831 and 1833, and no one better knows how the whole question bears, how this national jealousy obtains, than the noble Lord opposite (Lord Ashburton), who was lately of necessity so much engaged in the consideration of this subject. He and I know also how fallacious is the whole argument, for upon this question we two have likewise been associated for much more than a quarter of a century. Its discussion began in 1807, and it continued afterwards to be made a party question for eight whole years. We were leaders on the question; I believe I entered Parliament as Counsel, afterwards as a Member. He and I conducted that great controversy, and brought it, in 1812, to a successful close, by repealing the Orders in Council—the favourite measures of those who maintained the maritime supremacy of England. We, both of us, all along took what was called the low view of maritime rights, and it was the very party to which we belonged, and which is now pressing the right of search, which was then always opposed to the claims of belligerents as against the rights of neutrals. We were attacked as un-English, as anti-national, as allies of America and of the neutrals, as hostile to the maritime claims of our own country. Now so far from these claims having any, the least connexion with the right of search, I assert, without fear of contradiction, indeed all your Lordships are fully aware of it, that the party which maintains the right of search is the very party always strenuously opposed to those claims of maritime supremacy, and that the party who pressed the claims of maritime supremacy, are the party, with one or two exceptions, who care not a straw for the right of search, because indifferent about the slave-trade. The ignorance in France is exactly like what would be in this country the ignorance of a man who should say, that my noble Friend M. de Chateaubriant disliked M. des Dreux, Bresé, and M. de Noailles, on account of the hatred both these persons bear to the Duc de Bordeaux and of their vehement predilection for the Government of King Louis Phillippe. Such would not be at all a grosser blunder as to French party, than the blunder into which these fall, as to the English party, who say that the advocates of right of search are the champions of English naval supremacy and English maritime rights. But with respect to what has fallen from the noble Marquess behind me, who regretted that nothing had been done in America upon this question, I have also, with permission of the House, to say one word. It is quite true that the French have argued this question on the ground of the conduct of the Americans. It is quite true that they have said, "Why should we concede the right when America refuses? America shows spirit. America evinces national character. America is jealous of the honour of her flag. Concession is as un-French, as anti-Gallican, as it is un-American — anti American. If they won't bear it, why should we—if they won't concede, why should we surrender?" It is quite true that such have been the arguments of the French, and a very gifted gentleman, a worthy friend of mine, M. de Tocqueville, made a speech a short time back, in which he said the right of search was a thing never heard of before,—that it was a horrible novelty, a strange and frightful innovation, and the more frightful because it was to be exercised in what he called the "solitude of the ocean, far from mortal eye, and where mortal hand could not interpose to stay its abuses." I think was his term, and further, he said that it was more intolerable because it left one foreign country to decide on the conduct of another foreign country. Marvellous ignorance! Marvellous ignorance of the whole question! Why it is one of the first points in the treaty that no ship taken by an English cruiser is to be carried into any English port, but is to be taken into the foreign port, where her case is to be tried. Yes, and what is the consequence of this provision? The other day the Marabout, a slave ship, on her way to the coast of Africa, having numberless unexplained water casks on board, was taken by an English cruiser, and the court in the port of Cayenne acquitted her, because she was found to have no other cargo than her water casks, her irons, and her chains, and having no negroes, though manifestly fitted out for slave-trading, the slave-trading tribunal in a slave colony released her in the face of the demonstration afforded by her whole cargo. But this shows that M. de Tocqueville should be more accurate as to facts; that he ought to know, if not the X.Y.Z.—the unknown quantities we can hardly expect him to determine—but if not the X.Y.Z., at least the A.B.C. of his subject, before he undertakes to discuss the merits of a question of which his ignorance is at present so incredibly profound. But this is not all. M. de Tocqueville, who wrote a book on America, which had many admirers both here and in France, beside the author himself, he says, he never heard of the right of search before—that no such idea was ever before broached — that it is quite new and altogether previously unheard of. But what if we heard of it twenty years ago — what if we have heard of it within twenty years — what if an end could be put for ever to American references upon the inviolability of flags, to all their very spirited declarations about the sacred nature of their flag—what if they themselves made a proposition for a treaty on this subject — what if, in 1823, America propounded the very doctrine of a right of search, and called on England to record and consolidate that mutual right in a treaty signed and sealed—what too, if that very treaty was propounded not by the government of the United States, but by an all but unanimous vote of its senate, and what if the right of search propounded by that vote can be shown to be a great deal more stringent than the proposition of right of search now in dispute? The right of search then desired by the whole American congress, and by them pressed upon us, was, that the ships of each nation should be searched, not by men authorised both by the instructions of their own government and by the permissive consent of the commanders of the searched vessels, but by cruisers only provided with the instructions of their own government, and without any warrant from the commander of the vessels to be searched. Your Lordships see at once that this was a right of search incomparably more stringent and more disgraceful (if there is any disgrace in the matter, if it can be deemed any disgrace to withdraw the shelter of your flag from robbers, murderers, pirates—if a flag can be supposed to be stained by washing out from its face the foul stain of skreening piracy) more disgraceful than any right of search now desired. And yet this very right of search was, as long ago as 1823, propounded by America herself, and was, as I have shown, a much more effectual right of search than ever was propounded to the French government. What happened? Mr. Canning, being then at the Foreign Office, objected to this treaty, that it went too far. He always took high ground with reference to any matter affecting our maritime rights, and he felt that this was scarcely to be called a mutual right of search, inasmuch as for every vessel liable to be searched by the Americans, we had twenty open to the same examination. He accordingly modified the original proposition, and, after much negotiation, on the 7th of March, 1824, the treaty was signed by Mr. Huskisson and Sir Stratford Canning on the part of Great Britain, and by Mr. Rush on the part of the United States; and by that treaty a right of search was established more effectual than we have ever since advised. The treaty, however, after being ratified here, went back to America, a slight alteration was suggested, we refused, as I think erroneously, to adopt it, and it is for that reason, that reason alone, that no treaty of this kind now exists between this country and America. But for that alteration, America would have ratified as she had signed: she sent our unaltered treaty, containing the fullest right of search, and ratified by the President and the senate; and had we ratified the altered treaty, altered only as to boundary, mutual search would have been established between us and America for the last nineteen years. I hope, after this, we shall hear no more said of France being justified in refusing the right of search to abolish the slave-trade on account of the conduct of America and the impossibility of America allowing her flag so to be insulted. Does any man suppose that the people of France care for the slave-trade? Does any man imagine that the French nation, or any portion of the French nation, are so ignorant of their duty, so callous to every feeling of humanity, so utterly devoid of every sentiment of justice, so utterly irrational and divested even of common sense, as at this time of day, toward the middle of the nineteenth century, to hold up their heads and defend the African slave-trade? No such thing. There is no such feeling in France; there is not even neutrality towards the slave-trade in France. If you poll the whole of that great, enlightened, and generous people, I will venture to say, not one in a million will be found, save, perhaps, a few skulking West-Indian speculators, slave-traders in disguise, who haunt the purlieus of Bourdeaux or Nantes—with that single hateful disgusting exception, not one in a million will be found in France who does not feel towards the infernal traffic the same hatred and the same abhorrence expressed by your Lordships as often as its most hateful name is pronounced. But, my Lords, it is in vain to disguise from yourselves the truth that things oftentimes pass by different names; and many words are used as rallying cries of party when the things signified are never thought of, and the names only serve to blind. The right of search, the conduct of the people at Barcelona, Portendic claims, Marquesas islands, fishermen's conduct on the coast, terms of commercial treaty —all these, believe me, and I know the French well, I know the present state of French feeling and opinion well—all these are but variegated expressions, different forms, more or less circumlocutory, of speech for one short thing, which is a reality and not a name, and which lurks at the bottom of it all, and that, in plain English, and neither more nor less than that, is the real meaning of all these six or seven different phrases which are now agitating France—the 15th of July, 1840—Lord Palmerston's negotiation. I have put it to them all, I have canvassed it with every one of them severally, I have put it to them together, why they suddenly have discovered all this opposition to things which, in 1831 and 1833, no one dreamed of opposing. Never did they dream of it before July, 1840; and but for that ill-omened negotiation, but for the other acts in consistency with it, whereby it has been followed up, the right of search never would have been objected to, the commercial treaty would not now have been in abeyance, all the other points would have been given up, sacrificing little for great things, and every minor thing, for the great object of peace; but the feeling rankles in their bosom, and till, by the better conduct of those now at the helm of the state, by wise and prudent conciliation; by firm, but at the same time temperate, policy; by all that can conciliate the respect and win back the affection of that great nation; till that feeling be eradicated, it will break out, now upon one occasion or one pretext, now upon another, and prove the bane of the two Governments, because of the rankling sore between the two nations. But I rejoice to see that such feelings are upon the decline. It is manfully resisted by all the first statesmen of the country; even those who some years ago took an unfortunate part are now recovering their tone, and are more amicably disposed to us, and more wisely and prudently towards themselves. And if there be ignorance so profound as I have endeavoured to portray on one side, believe me ignorance I will not say so great, but very nearly as great, prevails also on the other, in this country, with respect to some things connected with the French authorities, and particularly as to the views, the patriotic and pacific views of that great Sovereign, the great friend of peace and of alliance with this country, as he is the pledge and the safeguard of his own country's tranquillity. I see daily instances of this ignorance of a parallel description to what I have adduced on the other side, and leading to the same misconstruction. I will only refer, as an example, to what happened at Barcelona. I do not believe there ever prevailed a greater delusion than upon this subject—the facts few, lying on the surface, in a narrow compass, perfectly simple, entangled with no complication. The French encourage a Christino rebellion at Barcelona? Why, it was the Republicans of Barcelona that raised it; greater enemies of the ex-queen than of the regent; and the particular cause of their rising was a very unpopular law with respect to recruitment and enlisting. But then it was said, that M. Lesseps, the French Consul at Barcelona, took an open part with the revolters. Did he? How did he show his partisanship? By refusing them the least countenance three times over when applied to. But he gave the countenance, and the protection of a French vessel to the fugitives! What fugitives? True, there came three several bodies of men, who took refuge on board of that vessel, and were protected by the French flag. Who was the first? The revolters?—the rebels? No such thing. The family of Van Halen, the Regent Espartero's Captain-general, M. Lesseps having gone through a fire of grape-shot in order to rescue them from danger, and carry them in safety to the ship. Then there came on board forty-three officers, of whom two were general officers, and three Colonels. Were they rebels? No such thing. They were regent's troops, who had surrendered, having been defeated by the rebels, from whom they refused a capitulation, and all of whom took shelter under the French flag. Who were the third party? Some of them were rebels, but not the first part of them; the first part of them were leaders of the regent's party, and last of all 500 came and wished to be allowed to take shelter on board—rebels no doubt; but what answer did M. Lesseps make? He ordered them to keep back; he refused all communication with them; he opened the broadside upon them, and compelled them to retreat by threat of instant destruction. So that if ever any man's conduct stood free from all possibility of accusation as that of an accomplice in rebellion, it was the conduct of the French Consul, whom the Government most wisely and justly have defended as the noble Duke to-night had done an absent Governor-general because they knew him to be in the right, and covered him with honours for his noble, loyal, and humane conduct. Having, my Lords, spoken of the ignorance of the French, I have thought it but just to instance a parallel case of ignorance among the English, by which the good understanding between the two countries has been put in jeopardy to the injury of the highest interests of both. I can have no hesitation in saying that I regard the interests of this country—so far I will admit it to the French partisans—I regard her most important interests and her dearest feelings and sympathies as inseparably bound to peace and alliance with France. I regard the peace of Europe as summed up in one word—peace of England with France. I regard universal war and devastation in Europe as the immediate consequence of a rupture between these two great powers. But it is not from undervaluing France any more than from undervaluing the resources and gallantry of my own countrymen—it is not from endeavouring to obtain an advantage at the expense of France—it is from my intimate and heartfelt conviction that what is good for France is good for England, and that the prosperity of the one country never can be promoted without a proportional improvement in the prosperity of the other, that I wish her well for the sake of this country as for her own sake; and while I admire the gallantry of our own troops, while I give every credit possible to the wisdom of our councils, and the success with which our military as well as our civil affairs have been administered, I regard that famous nation on the other side of the Channel with an equal admiration, and I join with my countrymen in holding it to be as much as England herself the land of gallant soldiers, of great captains, of profound statesmen, and of illustrious philosophers, whose history, military as well as civil, in all times, and in modern times as well as of old, is written in characters of brilliant lustre; but whose glory is now, I fervently hope, about to be consummated by the far more enduring and the far more sacred triumphs of a rivalry with the rest of mankind in the blessed arts of peace. I hold the olive-branch in my hand between these two countries, admiring, loving both, almost equally, and I will not allow that branch of hope and comfort to be torn from my grasp while there remains a leaf, a tendril, or a fibre of its frame to hold by. My belief, my entire and absolute conviction is, that only a little temperate conciliation, fair dealing, open manly conduct, is required on the part of the Ministers of the two nations to reclaim the people from the unhappy bias which late events have unfortunately given to their minds, from which I believe they are every day returning, and from which that they may fully and entirely be restored, I have not the least doubt that a very short period of the continuance of peace will amply suffice for this happy consummation. My Lords, I felt anxious upon the present occasion to state thus freely my sentiments upon this question; and I rejoice to think that in the opinions I have expressed, in the feelings to which I have given vent, with respect to the alliance between England and France, I speak the sense of Parliament and of the country; I also have the satisfaction, the heart-felt satisfaction of knowing that the words I have spoken may not be without their use.

The Earl of *Auckland* said, that he rose to address their Lordships with a feeling of very great diffidence. He felt, with the noble Lords who had already spoken, that this was not a fitting moment for entering into questions so complicated as those of recent eastern affairs, and he should in every point of view prefer a separate and fixed day for the discussion respecting those affairs. What he had to say now he would endeavour to comprise in as few sentences as possible; but he certainly did not wish, by remaining silent altogether, to appear as though he confessed the justice of some of the observations which had been made. He more peculiarly felt the disadvantage he laboured under of addressing their Lordships, after such speakers as the noble and learned Lord who had just sat down, and the noble Duke opposite, more particularly in reference to the noble Duke, as it was on military questions that he should have to make some remarks, arising out of what had fallen from the noble Duke. He entirely shared with his noble and learned Friend in the sentiments he had expressed as to the horrors of war. As to the causes of the Affghan war, this was not the fitting time to enter at length upon that subject; he would only say, that he undertook that war because he considered it essential to the safety of our empire in India; because he saw a danger approaching the Indian territory, which, if it had been once allowed to fix itself on our frontiers, would have left us without power, without stability, without safety. The alternative was before him—to await the approach of that danger, or to meet it in advance. He could well understand that there should be hesitation and difference of opinion as to which of these was the proper course, and, for himself, he could say that he had hesitated, hesitated most painfully; but, in the result, upon his own conviction, on the authority of nearly all those by whom he was surrounded, and who knew best how to advise him, in just anticipation of what would be the wishes, the views, and opinions of those in England, whether in the Government or at the East India House, to whom he was bound to show deference, he determined on the course which had been adopted, he resolved at once to dispel the danger which was most imminent, and which danger, he firmly believed, could now be represented as no longer formidable, solely because that decisive step had been taken. He entirely shared in the sentiments so well expressed by the noble and learned Lord as to the excesses which had been committed by the retiring army; he did not altogether share with him in the mitigated view which he had taken of the treachery, the murders, the massacres which had been committed by the Affghans; but during the latter part of his stay in India, he, for one, deprecated what was then called the war of retributive justice, seeing in it only the danger of returning excess for excess, of violence for violence, and fearing that we should lose more in character as a civilized people, than we should gain in military honour. He regarded the advance on Cabul as a great and glorious achievement, and he more particularly rejoiced at it as being crowned by the release of our coutrymen, but he lamented much that had followed. He wished to indulge the hope that there had been some exaggeration in the statements on the subject; but certainly, as regarding what he had heard, he only wished he had the eloquence and power of the noble and learned Lord to express the strong feelings which those proceedings had excited in his mind. With respect to what had fallen from the noble Duke, he could only say he should be glad should the orders issued by the present Governor-general be found to deserve the high character which the noble Duke had given them. He had no wish to attack the noble Governor-general; he had no wish to detract from his merits; he could conceive no more unbecoming spectacle than that of one Governor-general, lately retired from office, and another Governor-general lately come into office, bandying against each other terms of depreciation and disparagement. He would not follow the example which had been set him in this respect. The noble Duke seemed to charge him with omissions; he was not aware of any omissions. If ever there had been one thing more than another on his mind—if ever in his life he had laboured earnestly, and with singleness of purpose upon any object, it was during the last and most embarrassing part of his administration in India, that he might place at the disposal of his successor all the means he could collect, to place in the most forward position which could be occupied with security every man who could be spared from the cantonments in India, leaving it to that successor to adopt what line of policy should to him seem best. As to the difficulties which it had been alleged arose from the non-provision of carriage cattle, the fact was, that the divisions which marched from India in January and February, were provided with cattle for a march of 400 miles; the difficulties arose not in our own provinces, but in Peshawur, at the mouth of the passes, in consequence of the desertion of the drivers, who shrunk from the danger before them; and it was only when general Pollock, with that bravery and ability which distinguished his command, had restored the spirit of the army, conciliated his allies, forced the passes, and secured safety, that the drivers resumed their duties. The omission, here, then, if such it could be called, was not his, but owing entirely to the force of circumstances. He would say no more at present respecting the Affghan war. In reference to affairs in China, the noble Duke seemed disposed to take all the credit for the results there to the present Government, assigning none whatever to the Government which preceded it. This was not the time to go through the details of the several reinforcements which had been sent to China; but, with reference to the last operations, he would give a statement of what had occurred in 1841. In January of that year, he was informed by the royal commissioner in China, that he was about to dispense with, and to send either to England or India, the greater portion of the force on that coast, in consequence of the negotiations going on, and which then appeared likely to be brought to a successful termination. He strongly objected to this, and desired that not a single ship or man should be sent away from that country. Shortly after this, the treaty was broken off, and he then gave immediate orders for reinforcing the army in that quarter. Previous to the arrival of the reinforcements, the forces on the coast had made a successful attack on Canton. After this, the navy and army proceeded to the islands of Amoy, Chusan, Ching-hae, and the city of Ningpo, each of which places they successfully attacked. More would have been done, but the expedition which was prepared at Calcutta had been unavoidably detained by foul weather at Canton, and was prevented reaching its destination as soon as was expected. It was projected with this force to intercept the navigation of the Great Canal, by sailing up the great river Yang-tsze-keang. He had expressed his opinions on the subject of the expedition to her Majesty's Government, in August, 1841, a period when his own friends had not left office. In that communication he stated his doubts whether the Emperor of China could, with the amount of force then employed, be brought to terms; and his opinion that, in addition to ships from England, reinforcements should be sent from India to the amount of 5,000 native troops, and one European regiment. In answer to this application, he found that the present Government had very nearly, though not exactly, adopted his recommendation, for they directed that four additional regiments of native troops, together with artillery, should be sent from India, and that instead of an European regiment being sent, when it certainly could be ill spared, one was sent from another quarter. He had now stated what he had recommended in 1841, and noble Lords would see that, although in all its detail his suggestion had not been carried out, yet it had been adhered to in its main features. This was all that he would say on this subject, and he did so with a desire to give all credit to the present Government for the ability, the vigour, and the readiness with which they carried through the measures which they found in progress. He must add, however, that he firmly believed that nearly the same plan of operations would have been carried through to the same successful result, though there had been no change in the Government.

The Duke of *Wellington* had not uttered one single syllable of censure on the conduct of the noble Earl as to China. The noble Marquess opposite had charged her Majesty's Government with a want of veracity in the passage in the Speech from the Throne which regarded China, and he (the Duke of Wellington) must add that he thought that the noble Marquess had adverted to the order of his noble Friend, the Governor-general of India, on this subject, in a most invidious manner. He had thought it his duty to defend his noble Friend, the Governor-general, on this point, in consequence of what had been said by the noble Marquess. With respect to another point, the noble Earl said, that he had prepared ample means of carriage for the advance of the army from Peshawur, and he added that this would have been clearly the case if the camel drivers had not deserted. Why, it was well known that they always deserted from an army in the field if they had an opportunity. The fact was, that to keep them together, arrangements had not been properly made. The noble Earl said that he was not to blame; but if this was the case, others under him were to blame, for not having adopted proper precautions. For his own part, he did not wish to blame the noble Earl, or any one else, and what he had said was only in defence of his noble Friend the present Governor-general, who had been attacked, and who, in his opinion, had done right; and he therefore felt it to be his duty to defend him. With respect to the general conduct of his noble Friend in India, all that he would add was, that if the noble Earl, or any other noble Lord opposite, would name a day to go into the subject, he should be prepared to settle the question with them, and to defend in detail those matters which he had only adverted to that night.

The Marquess of *Lansdowne* observed that all that he had said was, that rumours had gone forth—he could not tell how correct they were, but they had been very general—that it was intended to abandon Affghanistan without any regard to the prisoners, or to other considerations. He said that he trusted there was no grounds for such rumours; and he added, that although from what had passed he anticipated they were without foundation, still he hoped that the truth of them would be positively contradicted. The noble Duke also seemed to have misapprehended him with regard to the observations that he had made on the subject of the war in China. The noble Duke appeared from his tone to believe that by those observations he intended to make some personal allusions. It was impossible that he could do so, as he distinctly recollected the course that the noble Duke had taken on the question of that war. He had undoubtedly said that some persons, not insignificant in station, had taken an extraordinary course on the subject of that war, but he had never intended for a single moment to allude to the noble Duke; for he well remembered that the noble Duke, on the occasion when this war was under discussion, came forward most manfully, and gave an opposite opinion on the subject to that entertained by those with whom he generally acted.

Lord *Colchester* trusted, in consequence of his near connection with his noble Friend the Governor-general of India, that he should be allowed to make a very few observations in reply to some remarks that had fallen from noble Lords opposite. In the first place, however, he must thank the noble Duke for at once coming forward and dispelling a thousand rumours that had been spread out of doors, which affected the character of his noble Friend the Governor-general, as having sacrificed the honour and interests of this country by the policy which he proposed to pursue. The noble Duke also stated that he was fully prepared, when the proper time came, to defend the military proceedings of the Governor-general, and he was satisfied that their Lordships would agree with him in thinking that no one could be a better authority on a subject of this kind than the noble Duke. With respect to the destruction of Jellalabad, he had reason to believe that this was not intended by the authorities in India. Instructions had been given for the destruction of the fortifications of that place, and it was not intended to go further. It should be recollected that the great portion of that army had not the usual characteristics of English soldiers, but that it was mainly composed of native troops, and these had had recently to pass through defiles which were full of the skeletons of their countrymen, who had been basely and traitorously murdered while proceeding through those places under the stipulations of a convention. The noble Earl, the late Governor-general, said that he would not bandy terms of depreciation and disparagement with the present Governor-general. He was not aware that any personal attack had been made on the noble Earl, but there certainly had been some censure and strictures passed on the policy and conduct of the late government. Such attacks, however, had been repeatedly made from various quarters of directly a personal nature on his noble Friend the present Governor-general, instead of any observations being directed against the Government, if the policy was condemned. He was quite sure that when the discussion, which would shortly take place, on the general policy of the Indian government occurred, that a triumphant answer would be given to all the charges and accusation which had been so lavishly brought against it. His noble Friend, when he went out to India, found one army broken in an enemy's country, and another ordered to advance to its aid, not nearly ready to proceed; at the same time also he found an exhausted treasury, and was compelled to find means to carry on a most expensive war at a great distance from the seat of Government; he also found that the progress of all the great public works had been discontinued for want of adequate means of carrying them on. Compare this with the present state of things—the war in Affghanistan having been brought to a successful issue—the Chinese war, which was such a heavy drain on the revenues of India, had been brought to a triumphant close—the revenue of the country having been brought to something like order, and the public works which had been suspended were now being proceeded with vigourously. With respect to the war with China, when the news of the first treaty having been broken off reached this country, the late government received some information and suggestions as to the future mode of carrying on the war. If inquiry were made it would be found that the government was recommended at once to send a large force to the mouth of the Yang-tsze-keang, and thus cut off the canal communication between the northern and southern provinces of the empire, instead of wasting their resources in detached attacks on the coast. He was much mistaken, if the archives of the Admiralty were searched, whether suggestions on this point would not be found. Although great success, no doubt, had attended all their attacks on places on the coast, still, by proceeding with them the war would have continued without any result; but when once there was an interruption of the communication between the northern and southern provinces of China, there was a termination of the war. This result might have been brought about long before, if the late government had chosen to act upon the suggestions made to them, but which they neglected; he therefore did not think that they were justified in claiming any of the credit for having brought that war to a successful termination, a result which, in his opinion, was entirely owing to the conduct of the present Government.

The Marquess of *Clanricarde* agreed that on the present occasion it might not be altogether expedient to go into a discussion of the various topics which had been adverted to, but that it would be better to wait until further information on the subject was laid on the Table. He hoped that the papers relating to the Affghan war, as well as those relating to the war with China, would be laid before Parliament without delay, and also that a copy of the Treaty with the United States and the accompanying documents would be given. He thought all the questions growing out of these matters would be more ripe for discussion when the papers on the subject were before them. With respect to the Treaty with America, of which his noble and learned Friend had said that it would be a great means of securing a permananance of peace between the United States and this country, he must say that he was not quite so sure of such a result, for he could not help perceiving indications of certain feelings existing, which would not lead to such a conclusion, for he found that it was said on a question which had not been settled by the Treaty in question, that if America would only be firm, England would give way. It was impossible, also, to keep out of view that in France the opinion prevailed that by this treaty we had given up to America the right of search. He did not say that this was the case, but still he trusted that this most important question to the interests of humanity had not been allowed to retrograde. He would not say more on the subject, for other and more convenient opportunities for discussing it would arise. He could not quite agree with what had fallen from his noble Friend the noble Marquess, that the silence of the Government in the Queen's Speech respecting the state of distress in the country left the subject as an open question. He recollected that noble Lords opposite made the most grave charges against the late Government for having done this, and these had very considerable weight in the country. He thought that the result of this was, that the Government had determined not to take any steps during the present Session to relieve the distress of the country by means of a relaxation of restrictions on our commerce. He thought that it was impossible that the present state of things could be allowed to go on without inflicting a heavy blow on the resources of this country, from which it never would recover. It was stated in the Commissioner's Speech that there was no doubt that the revenue of the country would not fall off. He had no doubt of this himself, as the Government had the means of turning the screw of the Income-tax; but there was a great difference between getting a revenue and restoring prosperity to the country.

The Duke of *Wellington* intended to lay the papers alluded to by the noble Marquess before the House.

The Earl of *Minto* thought, that it would be better to postpone the discussion of the several subjects which had been alluded to to a future time; but after what had fallen from the noble Lord (Lord Colchester) on the subject of the Chinese war, he felt called upon to make one or two observations. With respect to the expedition to the mouth of the great river, it was impossible that it could be undertaken at the time alluded to by the noble baron; for it was necessary, previously to undertaking it, that a survey of the coast should be made, and above all, the mouths of the various rivers. In 1841, when it was known that the ratifications of the treaty, called Kesben's treaty, were refused, it was determined to send an expedition to block up the mouth of the Yang-tsze-keang, and to intercept the communication bv means of the canal. The expedition was impeded in its progress by a typhoon, and could not be got to the place of rendezvous in time for that season. Every one acquainted with the China seas must be aware, that in consequence of the prevalence of the monsoon, ships could not proceed up those seas at an earlier period than April. When it was found that the expedition could not proceed in consequence of the lateness of the season, every arrangement was made for it to proceed at the earliest period of the following year.

Lord *Colchester* stated that when the general debate took place on the subject, he should be prepared with facts and dates. He was satisfied if the expedition had sailed from the river Canton at the earliest possible period great expense would have been saved.

Lord *Ashburton* would not occupy the attention of the House for more than a few minutes in the discussion of the treaty in connection with the framing of which it had been his good fortune to have taken part. He should not have troubled the House on the present occasion, had it not been on account of the charges which had been made with respect to the right of search. The noble Marquess who followed the noble seconder of the address, had used so many kind expressions with regard to him, that it was difficult for him to feel pain at the notice that he had taken of the treaty. On an occasion of that kind, when there was such a vast variety of important questions brought under notice—for instance, the Affghan war, the war with China, and the treaty with America, it was hardly possible, adequately to discuss their several matters. Indeed, there was not one of these questions which was not of sufficient importance for a debate by itself; and he should have thought that it must have been obvious that a question of such importance as the treaty could be otherwise than imperfectly discussed, when mixed up with other important questions. As the papers then on the subject of this treaty were to be laid before the House without delay, he trusted that the noble Marquess who was so indignant at the concessions made in the treaty would bring the subject forward, and he (Lord Ashburton) should have sufficient opportunity of vindicating himself, which he was confident that he should be able to do successfully, and to show that he made no improper concessions of boundary, nor important right as regarded the navigation of the river St. John, nor had abandoned any principle involving the right of search. He was not aware what could be said on the latter point, for not a single argument or discussion had taken place during the negotiations involving the right of search. The noble Marquess who spoke last was not, perhaps, perfectly acquainted with this subject. The fact was that we never claimed the right of search with respect to American vessels—we never attempted to exercise that right with regard to any country which did not concede that right to us, that right had never been exercised towards American vessels, and had never been claimed; it, therefore, did not come under discussion during the negotiations. This matter he would explain at greater length when the whole question came under discussion. The only question that existed on this subject with America, and which had evidently given rise to the misapprehension on the part of the noble Marquess, was not the right of search, but the right of visiting ships on the coast of Africa, with the view of seeing that every ship really belonged to the country whose flag it bore. The despatch of his noble Friend, the Secretary for Foreign Affairs, on this subject, which had been so often referred to, had set the question at rest, and no further matter for discussion could arise. He would only add, that with respect to the other parts of the treaty, he was prepared to show, that no improper concessions had been made, but that he had obtained much more than the late Government were prepared to accept, with the view to the settlement of the question, and that Lord Palmerston was prepared to accept terms much less advantageous than those embodied in the treaty. He trusted that the completion of this treaty would take away those grounds of dissension and complaint which had so long existed between this country and the United States. The only question which now remained to be settled was that respecting the Oregon territory, on the Columbia river. He did not believe that the non-settlement of that question would be productive of the evil consequences that had been supposed. He believed that there would be no great difficulty as regarded the settlement of this question. The proceedings that had been alluded to on the subject were not those of the American government, but of an individual member of the American congress. The proceeding was, as it were, the act of an individual Member of Parliament, and he did not believe that in consequence of it there was any ground for believing that it would give rise to a want of good understanding between this country and America. The fact was he believed that there had not existed a better understanding between the two countries since the war than existed now. He was satisfied that at the time when he left America there never was a period when there was a stronger desire there for the continuance of feelings of amity and good will between the two countries than there then was. He could assure the House that no event in the course of a pretty long life had afforded him greater satisfaction than having been a party to the completion of this treaty.

Lord *Brougham* observed, that a mistake had been made across the Channel as to the number of vessels employed in enforcing the right of search. The number was never eighty, as was supposed, but fifty-one, and this had now been reduced to forty-nine.

The Earl of *Haddington* said, that there had been fifty-one vessels, and there were now forty-nine. It had not been his intention to speak on the present occasion, but if he had supposed that the preparations for the Chinese war would have been discussed, he should have thought it his duty to come furnished with an accurate statement of the reinforcements which the present Government had thought it its duty to send out to the China seas with the utmost expedition. He was unwilling to run the risk of saying anything inaccurately; and would therefore now only say that, from the moment the present Government came into power, their earnest object had been to get ready all the ships necessary, and despatch them with the greatest possible speed. He thought it was due to the present Governor-general of India to say that the authorities at the Admiralty were astonished at the knowledge he showed with reference to maritime matters. His suggestions were serviceable and accurate; and if the authorities of that department had been disposed to sleep at their post, that noble Lord would not have allowed them. Nothing could be greater than the anxiety of the noble Lord, or more extraordinary than the intelligence he showed; and his communications with the Admiralty were perpetual till he went away. The noble Earl (Minto) had stated what the intentions of the late Government had been with respect to the preparations for the China war; and he was not disposed to dispute a single word the noble Lord had said. All he knew was, that the noble Lord had left a great number of ships in some state of progress and in full commission; and he believed there was not the slightest record at the Admiralty of the destination of those ships.

The Earl of *Minto* did not mean to say that the present Government had not exhibited the utmost activity in sending out reinforcements to China; but he wished it to be understood that when the late Government left office the preparations for the campaign of the ensuing year were going on. The noble Lord had said, truly enough, that there was no record at the Admiralty of the destination of the ships; but nobody knew better than the noble Lord that the destination of ships was never stated until they were ready. The late Government, forseeing that considerable reinforcements, in ships and troops, would be necessary in the spring, for it would have been useless to send them out to China to reach earlier than April, prepared such reinforcements as they thought necessary; and he was ready to show that almost the whole of the ships that were in that service were prepared by the late Government.

Earl *Stanhope* rose to postpone the Amendment which he had intended to move. The object of that Amendment was, to bring under the consideration of the House a subject of extreme—nay, of paramount importance; but the discussion which had already taken place had occupied so much time that he thought that he should be seeking their Lordships' convenience if he abstained from bringing forward this question on the present occasion. He should, therefore, on Thursday next, for which day he believed no business had yet been fixed, propose to their Lordships a separate and substantive motion:—

> "That this House do resolve itself into a committee of the whole House, for the purpose of taking into its most serious consideration the present condition of the productive classes of the United Kingdom, with a view of providing for their profitable employment and to the improvement of their condition."

The Bishop of *Exeter* had listened, with great attention, to the debate in which their Lordships had been engaged; and he had been especially struck with the eloquent manner in which the noble Marquess had described the vast importance of the event, which had introduced the arts and the civilization of Europe into the vast dominions of China. The noble Marquess had forcibly depicted the responsibility which, by reason of this circumstance, attached itself to this country, and it was impossible for him not to enter most warmly and most feelingly into this subject. Great indeed was that responsibility; but high was his satisfaction that it devolved upon a Government, who would do their duty as the advisers of the Crown, as well as in their religious position as Christians. He felt persuaded that they would take care of this vast portion of the human race, a portion far exeeeding all the population of Christendom; and he trusted that as we were now going to occupy a portion of this empire as a part of our own territory, that the Government would manifest a desire for the promotion of true religion—that they would not content themselves with transplanting the police and the warehouses of Great Britain, but that they would also establish churches, and set an example of true faith to the professors of idolatry, who, however, it was to be observed, were much more capable of conversion than almost any others.

Motion agreed to.

The Address to be presented to her Majesty by their Lordships, bearing white staves.

THANKS TO THE FORCES IN CHINA AND INDIA.] The Duke of *Wellington*: I rise to give notice that I shall, on Tuesday, the 14th instant, submit a motion to your Lordships for granting the thanks of this House to the naval and military officers and men engaged in service in China, and that I shall, on Thursday, the 16th instant, with your Lordship's permission, submit a motion to your Lordships to give the thanks of this House to the officers and troops concerned in the military operations in the East Indies. I am under the necessity of postponing this latter motion to a distant day, because I understand that, according to usual precedent, it will be necessary to lay papers on the table in respect of that motion. Those papers will be laid on the table immediately, and your Lordships will have them delivered in sufficient time to be prepared to meet that motion. I have omitted to mention, that I shall include the Governor-general in the last motion, and it will refer solely to the subject of thanks and will not touch on any political matters whatever.

Adjourned to Monday.

HOUSE OF COMMONS,

Thursday, February 2, 1843.

MINUTES.] NEW WRITS DURING RECESS:—For Buteshire, *v.* Sir W. Rae, dec.; Carmarthen Co., *v.* John Jones, Esq., dec.; Salop (N. D.), Sir Rowland Hill, Bart., now Viscount Hill.

NEW WRITS:—For Dublin University, *v.* J. D. Jackson, Esq., now a Judge; Coleraine, *v.* E. Litton, Esq., now a Master in Chancery in Ireland; Bodmin, *v.* Hon. C. C. Vivian, now Lord Vivian; Monaghan Co., *v.* Hon. H. R. Westenra, now Lord Rossmore; Cavan Co. *v.* H. J. Clements, Esq. dec.

NEW MEMBERS SWORN:—Viscount Clive, Salop (N. D.); John Neilstone Gladstone, Esq., Ipswich; Lord Charles Wellesley, Southampton Co. (S. D.); Hon. James Stuart Wortley, Buteshire; Sackville Lane Fox, Esq., Ipswich; John Emerson Tennent, Esq., Belfast; David Arthur Saunders Davies, Esq., Carmarthen Co.; David Robert Ross, Esq., Belfast.

BILL. *Public.*—1°. Outlawries.

BOROUGH OF SUDBURY.] Colonel

Rushbrooke moved that a new writ should be issued for the borough of Sudbury.

Mr. *T. Duncombe* said, there was a general understanding that no new writs should be issued for boroughs in the same position as Sudbury, without notice having been given of the intention to move them. He was surprised that the hon. and gallant Gentleman should now, without giving any notice, ask for a new writ for this borough. A bill affecting this borough had been passed through this House, and had been sent to the House of Lords, where there was not sufficient time to pass it during the last Session. The subject being, in fact, still under consideration, he hoped the hon. Gentleman would not now persist in his motion for the new writ.

Colonel *Rushbrooke* thought that it had been understoad that no opposition, after such a lapse of time, was to be offered to the motion for a new writ, and he therefore had deemed it unnecessary to give any notice whatever respecting it. He would now give notice of his motion for Monday next.

Motion withdrawn.

THE ADDRESS.] The Speaker having *reported* the Lords Commissioners Speech, and read it to the House.

Viscount *Courtenay* then said, Mr. Speaker, in rising for the purpose of proposing a humble Address in answer to the Speech which you have just read, I feel that I shall not be preferring any unreasonable request if I entreat for myself on this occasion that kind and indulgent consideration, which, under similar circumstances, this House is wont to bestow. While, Sir, the magnitude and variety of the topics touched on in her Majesty's Speech are such as to place under no ordinary difficulties the proposer of an address in reply, under more than ordinary difficulties, I feel at the same time an encouragement derived from the circumstance that there are amongst the topics it alludes to many which are likely to meet with unanimous concurrence, and that amongst its announcements there are many with regard to which we shall all be anxious to manifest cordial sentiments of satisfaction. I am sure that all will hail with satisfaction the assurance, which I am happy to say her Majesty has had occasion to make in several of her previous Speeches, as well as this—I mean the announcement that her Majesty continues to receive from foreign princes and powers assurances of that friendly disposition, which, I trust, will long continue, so as to ensure that peace with which Providence has so long blessed the nations of Europe. But, Sir, gratifying as that intimation is, under ordinary circumstances and in ordinary cases, I must be permitted to express especial pleasure, that her Majesty has been enabled to inform us, that, by a Treaty between this country and America, the amicable relations of the two countries are confirmed. I am sure the House will think that, however great the evils of war are, under any circumstances, and however impossible it is to measure them by the consideration of the blood and treasure which may be wasted in its progress, without taking into account the far higher consideration which results from the destruction of those ties which ought to bind nations together in a common endeavour to promote the good of mankind; I say, I feel the House will agree with me that those evils would be tenfold increased if an estrangement should unhappily occur between us and that great kindred community which has sprung up on the other side of the Atlantic. Sir, recollecting, as I am sure we ever must, that our connection with that great country is marked by the ties of a common origin, as well as by the ties of language, literature, laws, and religion, I am persuaded that there is not one who hears me who does not look with more than ordinary interest to the development of the resources of America in her unprecedented progress from infancy to maturity, and who does not feel with me that the evils of such a rupture are not to be estimated merely by the results to either country, but by its influence on the general interests of humanity. It is with that feeling that I shall with confidence call on the House to express its satisfaction at the adjustment of those differences—an adjustment, which, as it was the effect of wise and dispassionate counsels on the part of the negotiators on either side, has been effected in a manner consistent with the just and due regard to the national honour of two great communities. Sir, with no less pleasure shall we receive the announcement made in her Majesty's gracious Speech of the successful termination of the war in Affghanistan, a war maintained in a country of peculiar difficulty, against foes of unknown numbers and unascertained resources, against the machinations of unparalleled treachery, no less than against the ever-occurring assaults of open violence. Sir, it would be idle to dwell on the horrors of the former campaign: but we cannot, in reverting to its melancholy history, mark the numerous instances which it affords among our troops, European and native, of individual daring and power of endurance, without feeling the greater satisfaction that it is not in vain that these deeds of daring has been done and those sufferings undergone, that the honour of the British name has been vindicated, and the superiority of the British arms established on the scenes of our former reverses. Sympathising deeply, therefore, with what our troops have experienced, and the British name in accordance with the expression of interest of her Majesty upon this topic; entertaining warm feelings of admiration and respect for those heroic captives, who, in the hour of danger and suffering, exhibited a manly spirit of daring, united with and elevated by that power of endurance which peculiarly belongs to the female character, we shall no longer delay to concur cordially in the expression of the Address, which I will venture to submit to your notice, in acknowledgment of the valour and constancy of her Majesty's troops, and of a deep conviction that in withdrawing beyond the Indus, we leave behind us indelible memorials of British courage and British power. We may turn, Sir, with feelings of, perhaps, a less mixed character to another topic suggested by her Majesty's Speech—I mean our relations with China; and I am sure that, with equal satisfaction, we shall learn that a treaty has been concluded with China, resulting from the superiority of our naval and military forces, and founded upon terms which her Majesty has proposed. We may, I trust, look forward to this as the commencement of a permanent and salutary intercourse between this country and that mighty and extensive land. We may, I trust, look somewhat even beyond that—we may, I trust, look to those more enduring results, and those noble triumphs, which shall emanate from that intercourse; triumphs of knowledge over ignorance, of civilization over barbarism, of Christianity over heathenism and infidelity. There is one result in which I believe we may now rejoice as having already to some extent taken place—I mean the revival of commercial intercourse with that country—an intercourse which bids fair to be constant and systematic, and which opens a new and untried market for the productions of our manufacturing industry. There is not, I am sure, a gentleman that I am now addressing who does not feel that, if ever there was a time when the prospect of new markets for our manufactures was essential, this is now that period. Sir, we are informed by her Majesty's Speech of a fact, of which the experience of most hon. Gentlemen whom I now address has made them already aware—that considerable masses of our manufacturing population have been suffering for some time under a state of distress occasioned by the depression of the markets of some departments of our manufacturing industry. Sir, we must learn with great regret, as evidence of that fact, that the inability of a large portion of our manufacturing population to purchase those articles of comfort, or even of necessity, to which, under more prosperous circumstances, they had been accustomed, is one of the causes to which we are to trace the diminution in the receipts from the ordinary sources of revenue which is announced to us in her Majesty's Speech. That, that diminution may be, and is, justly attributable also to other causes—to causes which may be, and it is hoped will be, temporary in their nature, and which cannot but have been present to the minds of those who originated and carried the great financial changes of last year—I mean the reduction in the duties upon imports—is no doubt a matter which it is satisfactory and gratifying to believe. But, Sir, at the same time, the fact remains—a fact which is brought before us in this the very first stage of our proceedings—that large bodies of our manufacturing population are in a state of distress and depression. Sir, it is in no language of cold and ordinary condolence and pity that I now take this opportunity of saying what has been so often said upon that subject. We cannot but sympathise deeply with the way in which I will not only say the manufacturing, but the agricultural portion of this community, have often borne distress and privations, submitting to them with a fortitude and resignation which may well put their betters to shame. Sir, such a circumstance renders their distresses still more entitled to the calm consideration of an English and Christian Legislature. Of the remedies for this state of things this is neither the fitting time, nor am I a person qualified to speak; but Sir, this much I may be permitted to say, that while I look forward with hope to the result which will follow from the continued operation of the commercial and financial changes of last year, and to the prevalence—the gradual prevalence in foreign countries of sounder principles of international commerce—I must be permitted also to say that the remedy as far as laws can originate or mature one, is not to be found in any crude and hasty measures, not in attempts to exalt unduly the importance of one interest above others; but in a calm and dispassionate consideration of all the interests of the community, we weighing justly and duly the importance of each in the social scale of our country, attaching and assigning to each its due share among the elements of our national greatness; and while we take into account all the component parts of this great community, giving a just and fair consideration to such peculiar circumstances, and to such peculiar burdens as may result from a complicated and artificial state of society. It is because I trace in the conduct of Ministers the operation of such principles of Legislation, that, in compliance with the proposal made to me, I have felt it my duty to come forward on this occasion, and as the representative of a large and important constituency, not to shrink from the avowal of my general confidence in her Majesty's present advisers. In the great financial measures brought forward by the Government last year, the country recognized a great scheme of financial policy, which is not to be judged of by individual parts, and under its temporary operation, but to be estimated as a whole, and upon a series of years. Sir, if her Majesty's Ministers continue to act with a similar union of boldness, in action with prudence and caution in deliberation—if, in the measures which may hereafter be propounded, an anxiety for the general welfare be exhibited in union with a due regard to the various interests of the country—if they continue to show themselves ready and anxious to maintain peace at the risk of everything but national honour—to promote economy at the hazard of everything except the efficiency of the public service—to introduce change where change is improvement, but to repudiate and reject it where it is nothing but innovation—if, Sir, they continue to act upon those principles, they will continue to receive, as in my judgment they will continue to deserve, the confidence of a large portion of the country. Sir, it is with these views and these feelings that I have come forward on this occasion to propose the Address in answer to her Majesty's gracious Speech; and I have only, before I proceed to read the Address which I shall submit, to express my grateful acknowledgments to the House for the kind forbearance which they have manifested. The noble Lord concluded by submitting the following motion:—

"That an humble Address be presented to her Majesty, to return to her Majesty our humble thanks for the gracious Speech which her Majesty has directed to be delivered by the Lords Commissioners:

To assure her Majesty that we have heard with high gratification, that her Majesty receives from all Princes and States assurances of a friendly disposition towards this country, and of an earnest desire to co-operate with her Majesty in the maintenance of general peace:

To thank her Majesty for acquainting us, that by the Treaty which her Majesty has concluded with the United States of America, and by the adjustment of those differences which, from their long continuance, had endangered the preservation of peace, her Majesty trusts that the amicable relations of the two countries have been confirmed:

To express our satisfaction at learning, that the increased exertions which her Majesty has made for the termination of hostilities with China have been eminently successful, and that the skill, valour, and discipline of the Naval and Military forces employed upon this service have been most conspicuous, and have led to the conclusion of peace upon the terms proposed by her Majesty:

Humbly to assure her Majesty, that we rejoice with her Majesty in the prospect that, by the free access which will be opened to the principle marts of that populous and extensive Empire, encouragement will be given to the commercial enterprize of her people:

To thank her Majesty for having directed that as soon as the Ratifications of the Treaty shall have been exchanged, it shall be laid before us:

That we are much gratified by the information that, in concert with her Allies, her

Majesty has succeeded in obtaining for the Christian population of Syria, the establishment of a system of administration which they were entitled to expect from the engagements of the Sultan, and from the good faith of this country:

That we are concerned to hear, that the differences for some time existing between the Turkish and Persian Governments had recently led to acts of hostility, but as each of these States has accepted the joint mediation of Great Britain and Russia, we participate in the confident hope entertained by her Majesty, that their mutual relations will be speedily and amicably adjusted:

To assure her Majesty, that we learn with pleasure that her Majesty has concluded with the Emperor of Russia a Treaty of Commerce and Navigation, which her Majesty regards with great satisfaction, as the foundation for increased intercourse between her Majesty's subjects and those of the Emperor; and to thank her Majesty for having directed a Copy of this Treaty to be laid before us:

To thank her Majesty for the gratifying information that complete success has attended the recent military operations in Affghanistan; and for acquainting us that her Majesty has the greatest satisfaction in recording her high sense of the ability with which these operations have been directed: and of the constancy and valour which have been manifested by the European and Native Forces:

That we are gratified to learn that the superiority of her Majesty's arms has been established by decisive victories on the scene of former disaster; and that the complete liberation of her Majesty's subjects who were held in captivity, and for whom her Majesty has graciously expressed the deepest interest, has been effected:

To thank her Majesty for informing us that it has not been deemed advisable to continue the occupation, by a military force, of the countries to the westward of the Indus:

To thank her Majesty for having directed the Estimates for the ensuing year to be laid before us, and for the information that such reductions have been made in the amount of the Naval and Military Force as have been deemed compatible, under present circumstances, with the efficient performance of the Public Service throughout the extended Empire of her Majesty;

That we share in her Majesty's regret at the diminished receipt from some of the ordinary sources of revenue:

That, in common with her Majesty, we fear that it must be in part attributed to the reduced consumption of many articles caused by that depression of the Manufacturing Industry of the Country which has so long prevailed, and which we, with her Majesty so deeply lament:

But to assure her Majesty, that in considering the present state of the Revenue, we will bear in mind that it has been materially affected by the extensive reductions in the Import Duties, which received our sanction during the last Session of Parliament, and that little progress has been hitherto made in the collection of those Taxes, which were imposed for the purpose of supplying the deficiency from that and other causes:

That we learn with satisfaction that her Majesty feels confident that the future produce of the Revenue will be sufficient to meet every exigency of the Public Service:

To express the participation which we feel in the gratification derived by her Majesty from the loyalty and affectionate attachment to her Majesty which were manifested on the occasion of her Majesty's visit to Scotland:

That in common with her Majesty we regret that in the course of the last year the public peace in some of the manufacturing districts was seriously disturbed, and the lives and property of her Majesty's subjects were endangered by tumultuous assemblages and acts of open violence:

That we are happy to learn that the ordinary law promptly enforced was sufficient for the effectual repression of these disorders; and that we cordially concur with her Majesty in confidently relying upon its efficacy and upon the zealous support of her Majesty's loyal and peaceable subjects for the maintenance of tranquillity:

To assure her Majesty that we shall be prepared to take into our consideration such measures connected with the improvement of the law, and with various questions of domestic policy, as may be submitted to us by her Majesty's direction:

To assure her Majesty that she may confidently rely on our constant endeavours to promote the public welfare; and that we unite with her Majesty in fervently praying that the favour of Divine Providence may direct and prosper our Counsels, and make them conducive to the happiness and contentment of her Majesty's people."

Mr. *W. P. S. Miles* said, in rising to second the Address, which has just been so ably proposed by the noble Lord, in answer to her Majesty's most gracious Speech, I trust I shall be allowed that indulgence which I know this House is ever ready to extend to a young Member making his first address. It is with no ordinary feelings of embarrassment that I undertake the task for which I have found it necessary to ask the favourable consideration of the House, and I trust that in the few remarks which it will be incumbent on me to offer, I shall make use of no expression calculated to disturb that spirit of harmony and unanimity which it is so desirable should prevail on the present occasion. I shall endeavour to confine my remarks to as short a space as will be consistent with the importance of the topics on which it will be necessary for me to dilate. It is with feelings of peculiar pride and satisfaction that I advert to the glorious termination of the campaign in Affghanistan. I believe that on few occasions in the history of that country have victories so important to the security and stability of our Indian empire been achieved. I conceive that it is a matter of congratulation that her Majesty's army should have so nobly triumphed over every difficulty, and should have so gloriously recovered the laurels which previous events had torn from their brows; that, notwithstanding the severity of the climate, and the almost insurmountable nature of the mountain passes, they had, by the skilful guidance of their commanders, rescued the prisoners from captivity, and exemplified the maxim— that England leaves no insult unavenged, that her faith is inviolable when once pledged, that her punishment of treachery is instant and certain, and that while she strikes terror into the hearts of her enemies, she is at all times ready, even in the midst of success, to listen to the dictates of humanity and reason. It would be presumptuous in me to enter into the question of our Indian policy; but I cannot hesitate to express my approval of the policy pursued by the Governor-general of India. It may be necessary sometimes to make an example for the purpose of preserving our Indian empire; but I think the talent of the Governor-general has been better displayed in cementing our power and authority by his prudent and vigorous administration of affairs, and by giving a stimulus to that internal trade and commerce which the interests of this country demand; and has thus done more to maintain the stability of our Indian empire than could have been effected by any other means. The next topic to which I shall advert is the successful issue of our operations in China, which is not only a subject of importance to England, but to the whole world. I think this, coupled with the brilliant success of our arms in India, will be the distinguishing feature of her Majesty's reign. By our treaty with China, this nation would become the means of opening a country which had been hitherto closed to foreigners; aud, under the blessing of a merciful Providence, it would also be the means of introducing to the numerous inhabitants of China the inestimable blessings of the Christian religion. As a young Member, I will not discuss the line of policy pursued by the late administration, but I trust I am not too bold in expressing my approval of the energy which the present Administration has shown in bringing the war in China to a triumphant close. They displayed an amount of force, adequate to the dignity and importance of the undertaking, which sustained the glory of the British arms. I can scarcely calculate the advantage to be derived from the ratification of the treaty of commerce with China, or form any opinion of the amount of trade likely to be carried on with that country; but if the relations which we hear of that great country be true—if the population be so numerous as it is supposed, and if the prejudices of Asia permit a more enlightened system of policy with respect to Europe, I do not think any treaty could be of more importance, or more calculated to benefit trade and commerce. I congratulate the House that the long-pending boundary question between this country and America has been brought to a satisfactory conclusion by the talents of the noble Lord to whom it was confided. I cannot but think that the maintenance of peace between the two countries is of much more importance than a portion of disputed territory. That question which had been contested for fifty years, is now finally settled, and thus has been removed a subject of dissension which might have been the means of plunging two great nations into a dangerous and expensive war. I think this House will concur with me in regretting the disturbances which took place last autumn in the manufacturing districts. I rejoice that those disturbances were suppressed by the energy of the civil authority without any great display of military force, or without the necessity of having recourse to fresh laws. As regards those disturbances, although I admit the depression of trade may have had some share in producing them, I attribute them mainly to the spirit of agitation which prevails, and which induces many of the lower orders to lend an ear to the suggestions of demagogues who propound wild and visionary schemes. A general impression prevails that the trade of the country is assuming a more healthful character, and the stimulus given to commerce by the conclusion of peace with China has been steadily maintained, and will doubtless derive additional force from the ratification of a treaty of commerce with Russia. I trust that the measures passed last Session will be found adequate to the relief of the country from its financial difficulties, and will induce foreign countries to revise their tariffs and to trade with us upon a more liberal and enlightened system than at present. During the last few years the deficiency of the revenue had been gradually increasing, and some decisive measure was requisite to restore public credit. The deficiency in the revenue has continued this year, but I think that is attributable to the reduction of the import duties and the deficient harvest of 1841. I trust, however, the amount of revenue from the property and income tax may counterbalance this deficiency, and that in a few years the revenue will so far revive that this tax may be done away with. The measures introduced last Session have created great alarm among the agriculturists. Panic has succeeded panic without any apparent cause. The landed interest has been called upon to bear unusual burdens; but if, by so doing, they can contribute to relieve other branches of industry, I believe they will be borne cheerfully. I think the House has heard with pleasure of her Majesty's visit to Scotland. The characteristic hospitality of Scotland and their abundant loyalty marked throughout the progress of her Majesty. The recollection of her Majesty's late visit will be cherished in the hearts of her Scottish subjects, and will create a feeling that will long survive. I have endeavoured, in a few words, to bring forward the topics introduced in the Speech from the throne, and I hope the House will unanimously agree to the Address, which, if adopted without any dissent, will prove the more gratifying to her Majesty. In conclusion, I beg to thank the House for the kindness it has extended to me.

The Address having been read by the Speaker,

Mr. *C. Wood* said, I am convinced that the noble Lord in no degree miscalculated the feeling of the House, when he stated his belief that it would readily unite in an expression of satisfaction at the assurance given in her Majesty's most gracious Speech of the termination of the hostilities in which this country has been engaged in two portions of the East, and of the adjustment of disputed questions with the United States of America. Every Member of this House, will, I am sure, cordially join in congratulating her Majesty on the important announcement, which, in these respects, she has been able to make to her Parliament. With respect to the termination of our hostilities with China, but one feeling of satisfaction can prevail; for, whatever reliance might justly be placed on the skill and valour of our troops, no one could contemplate, without some anxiety, the prosecution of hostilities at such a remote distance, with a people so numerous, and in a country of which we knew so little, nor was it possible to observe, without a feeling of deep regret, the indiscriminate slaughter which necessarily attended our victories, or was inflicted upon themselves by a brave but barbarian people, after their defeats. The conclusion of the war with China is signalised by a circumstance which seldom falls to the lot of belligerent powers, namely, the attainment of every object for which hostilities were undertaken. We have obtained reparation for the insults and cruelty inflicted on the residents in the British factory—compensation to our merchants for the losses which they had sustained; and indemnity for the expenses of the war. I trust, also, that the noble Lord is not wrong in calculating that the opening for commerce secured by the happy termination of this war, will be beneficial in the highest degree, not only to the people of this country, but to the population of China. I trust we have a right to anticipate—and I join in the anxious desire that the noble Lord's anticipations may prove correct—that the intercourse now opened with a nation hitherto shut out from a communication with civilised communities, will be the means of extending to its vast population the blessings of religion and civilization. With respect to our operations in Affghanistan, as far as the circumstances connected with them are communicated in her Majesty's Speech, there can I apprehend, be no difference of opinion. Every one must rejoice at the success which attended the march on Cabul, the rescue of the prisoners, and the vindication of the honour of our troops on the scene of their recent disasters. Beyond that, I presume, we are not now called upon to express any opinion; indeed, it is evident, from two notices given this evening, one by the right hon. Baronet opposite, and the other by the hon. Member below me (Mr. Roebuck), that we shall have opportunity enough hereafter of discussing any matters connected with events in India. Before these motions come on I trust the Government will put the House in possession of papers which will give us full information on the subject. I may be allowed to take this opportunity of expressing an anxious hope that the Government is in possession of information which will enable it to contradict the reports which have been circulated, of excesses committed by our troops under circumstances which every man of ordinary humanity must regret. When a town is taken by assault, it may not be possible to restrain troops and prevent excesses, which however, every one must deplore; but I know of no language strong enough to express the condemnation of the outrages said to have been committed by our troops on the unoffending inhabitants of cities, of which we had been in peaceable possession for some time. If the reports to which I refer should prove to be correct, we have indeed much to regret in the manner in which the hostilities in Cabul terminated; and I fear that a dark stain will have been cast upon our arms; and also upon the reputation of this country, on which so much of our empire in the East depends; and still further, that instead of a friendly or neutral power, we shall have left, in the country beyond the Indus, a justly exasperated and hostile population. As regards the treaty with the United States, it will, of course, be laid before us, and then will be the time to discuss it; but there is one point with respect to which that treaty can afford the House no information, and regarding which we can only look to the Government for explanation. The subject is one in which they, I am sure, will be anxious to furnish explanation at the earliest possible time. The value of the treaty with the United States, must, in my mind, depend less on the precise line of boundary which may have been established, than on the adjustment of the differences which threatened to disturb the relations of peace between the two nations. I am ready to admit that if the causes of differences between the two countries are fairly adjusted, if the arrangements are such as to close the present, and preclude future causes of dispute, I am not one of those who would attach much importance to a few square miles of territory more or less; but then I must have a distinct assurance that those causes of difference have actually been removed. Now it would appear from a document which I have seen in the public papers, and the authenticity of which it is impossible to dispute, that serious doubts may be entertained as to whether the disputed questions between this country and the United States are so satisfactorily settled as we were at first led to suppose. I allude particularly to the question of the right of visit. I apprehend, that of all questions which could agitate the public mind in America and this country, there is—owing to the jealousy which naturally exists in the minds of the people of the United States, in consequence of what took place in former times, in the exercise of the right of search during the war—no topic more calculated to excite angry feelings than this question. As some misunderstanding has prevailed, from confounding the right of visit with the right of search, I will take the liberty of stating, as distinctly as I can, what I apprehend to be the right claimed by this country, and of the justice of which claim I entertain not the slightest shadow of doubt. The claim of this country is a right of our cruisers to ascertain whether a vessel is justly entitled to the protection of the flag which she may happen to have hoisted, such vessel being in circumstances which render her liable to the suspicion — first, that she is not entitled to the protection of the flag; and, secondly, that if not entitled to it, she is either by law or the provisions of treaties, subject to the supervision and control of our cruisers. I believe I have stated, as accurately as I can, the precise claim which this country puts forward. It is, I think, exactly the claim stated by Lord Aberdeen, and supported by arguments which it is unnecessary to repeat to a British House of Commons. It is enough to say, that if the right in question is not to be exercised, any British vessel with British papers, and with British captain and crew, might, full of slaves, sail, uninterrupted, through all the cruisers we possess. It is enough to say, that if this right were not to be exercised, the most atrocious buccaneer and pirate in the world might sail, unquestioned, through the squadrons of every maritime power. This right, however, is not only denied by the United States, but, in the document to which I have already referred, it is stated to have been conceded and given up by this country. That a declaration of this nature should proceed from a great maritime power like the United States, which, more than another, must be aware of the necessity of the exercise of the right in question, is so astonishing, that I could not believe it, were not the authenticity of the document in which it is made beyond the reach of doubt. The document to which I allude is the message of the President of the United States to Congress. I find in that message the following passage:—

> "In the enforcement of the laws and treaty stipulations of Great Britain a practice had threatened to grow up, on the part of her cruisers of subjecting to visitation ships sailing under the American flag, which, while it seriously involved our maritime rights, would subject to vexation a branch of our trade which was increasing, and which required the fostering care of the Government. And although Lord Aberdeen, in his correspondence with the American envoys in London, expressly disclaimed all right to detain any American ships on the high seas, even if found with slaves on board, and restricted the British pretension to a mere claim to visit and inquire, yet it could not well be discerned by the executive of the United States how such visit and inquiry could be made without detention on the voyage, and consequent interruption to the trade. It was regarded as the right of search, presented only in a new form and in different words."

Now come the words which imply that this country has given up the claim to the right of visit:—

> "All pretence is removed for interference with our commerce for any purpose whatever by a foreign government. A similar arrangement by the other great powers could not fail to sweep from the ocean the slave trade, without the interpolation of any new principle into the maritime code."

It is apparent from what I have read to the House, that the President treats the right of visit claimed by Lord Aberdeen as an inadmissible interference with American commerce, and then expressly declares, that, by the arrangement entered into, all pretence for such interference has been removed. I have no hesitation in saying, that explanation on this subject is called for by the general feeling of the country. The greatest alarm has been excited amongst those who have taken an interest in the suppression of the slave-trade, by the announcement in the American President's message that that right has been given up which Lord Aberdeen himself described to be absolutely necessary for putting down that trade. For myself I entertain not the slightest doubt as to what the answer of the Government will be on the point; I have not the least doubt that the right hon. Baronet will tell us that the British Government has made no such concession as that which has been attributed to it; I believe that no British Minister could or would make such a concession, and I am sure, when I quote the expressions employed by Lord Aberdeen in his despatch to Mr. Everett, the right hon. Baronet will say, that I have drawn a correct inference from that noble Lord's language. The words of Lord Aberdeen are such as I believe would be appreciated by the Americans themselves, were not, unhappily, their feelings perverted with respect to this question. His Lordship said:—

> "The undersigned begs to repeat, that with American vessels, whatever be their destination, British cruisers have no pretension in any manner to interfere. Such vessels must be permitted, if engaged in it, to enjoy a monopoly of this unhallowed trade; but the British Government will never endure that the fraudulent use of the American flag shall extend the iniquity to other nations by whom it is

abhorred, and who have entered into solemn treaties with this country for its entire suppression."

That eloquent passage expresses the feelings of every Englishman; and again I declare my belief that no such concession as that announced by the American President has been made. I do not ask right hon. Gentlemen opposite to explain the words of the President's message; it is no part of their duty to do so; but there is a more simple test by which the accuracy of the statement in question can be tried. The slave papers laid upon the Table at the close of last Session contain the instructions issued to British cruisers; these instructions are compiled with great care, with a view to prevent inconvenience or injury to vessels visited, but enjoining the right of visit, as claimed by this country. I ask the Government to inform the House whether those instructions are at present in force? I will go one step further; I understand that the Government has appointed a commission for the purpose of revising the instructions to our cruisers. Of the individuals composing that commission, I will only say that more fit persons for the purpose could not be found. When I mention the names of Dr. Lushington and Captain Denman, two of the commissioners, the House will perceive in those names a sufficient security for the intentions of the Government. I ask the Government whether, in the new instructions the spirit, if not the letter, of the old instructions will be adhered to? The answer of the Government to this question, I have no doubt, will be satisfactory; but, then, I may be forgiven for expressing a doubt whether the differences between this country and America have really been removed. A settlement of a disputed point is said to have been made, and on the terms of that settlement the two parties put directly contradictory interpretations. I hope that the feeling now existing between the two countries may ultimately lead to the conclusion of a satisfactory settlement: but I think it can hardly be said that that settlement has already been concluded. No doubt the presence of the American squadron to be stationed on the coast of Africa, may render less frequent the necessity for exercising this right, and I also hope that the feeling in the United States on the subject may subside, and that we may never again hear of any opposition from the United States to the exercise of a right so indispensable to every maritime power. Speaking generally, so far as regards foreign affairs, I have great pleasure in concurring with the address moved by the noble Lord; but, when I turn to the state of affairs at home, I regret to say I can see little calculated to afford us any satisfaction. No doubt the House will cordially concur in the feelings of sympathy expressed in her Majesty's name with respect to the sufferings of a large portion of her subjects; but I do think, that those sufferings have extended to a degree that calls for something more than the expression of commiseration. I did expect some allusion would be made to measures intended for the relief of those sufferings, for the relief of our trade from a state of depression which has lasted much too long—and I am sorry to say that, seeing no allusion made to any such measures as in contemplation, I can hardly fail to come to the conclusion that no such measures are at present intended to be brought forward. The hon. Gentleman who seconded the Address, spoke of the improvement in trade; but I fear there will hardly be found any man sanguine enough to say, that the trade of the country manifests any symptoms of a revival which would effectually relieve its present melancholy depression. Similar hopes were held out in the Speech with which her Majesty closed the last Session of Parliament, but they were too soon, and to a fearful extent disappointed. As regards the manufacturing districts in Yorkshire, I have only to appeal to the hon. Member for Leeds, who last year drew so touching a picture of the distress of his part of the country, whether I am not right when I say that the distress has doubled since last year? I find that in 1841, the relief given at Leeds in money and bread amounted to 17,275*l.*; and in 1842, the amount distributed in relief was 23,358*l.* In 1841, the number of applicants was 7,810; but in 1842, they had increased to 14,839. If I turn to the manufacturing districts of Lancashire, or to Scotland, I find the same symptoms of distress, and, I am sorry to say, that the distress has now extended to the agricultural districts, which had hitherto escaped the sufferings by which the manufacturing parts of the country were visited. With such a state of things before us, are we, the representatives of the people, to sit with folded arms and make no attempt to legislate for the removal of this distress? are we to make no attempt to afford that relief without which the commercial and all other interests of the country must rapidly decline? That there are measures which I believe would afford that relief, and what the nature of those measures is, none I think can doubt who remember the discussions of last session. At the close of last session her Majesty addressed Parliament in these words:—

> "You have had under your consideration measures of the greatest importance connected with the financial and commercial interests of the country calculated to maintain the public credit, to improve the national resources, and, by extending trade and stimulating the demand for labour, to promote the general and permanent welfare of all classes of my subjects."

There cannot be a doubt that such were the objects aimed at by the measures of last Session, for the relaxation of our commercial code, and I cannot help feeling great disappointment at seeing no indication of any intention to follow up that policy, and to carry out those principles, principles avowed by the Government, and in which I, for one, heartily concur. The right hon. Baronet told us that we ought to buy in the cheapest market; that laws ought not to be passed for the protection of any particular class—that even if foreign governments would not join us, we ought not to deprive ourselves of the advantages in which they refused to participate; those were the principles and policy avowed by the Government, and I had hoped to see them carried out, as the only means calculated to afford that relief which the country has but too much reason to demand. With many of the main articles of our manufactures and of consumption the alterations of last year did not profess to deal, but I did hope that with regard to some of those articles—particularly with regard to wool, sugar, and corn—some proposition would have been made by her Majesty's Government to complete the measures of the last Session. It has certainly been fortunate for the people of this country, that since last summer a large reduction has taken place in the prices of meat and corn, but it will not be said, I imagine, that that reduction has been the effect of the measures of her Majesty's Government, and I believe it will now be admitted, that the alarm expressed last year on this subject by the agricultural Members, was entirely unfounded. Indeed, with respect to meat, the right hon. Gentleman convinced us at the time, that no great effect was to be anticipated; and I am sure that even the hon. Member for Somerset would readily admit, that the price of meat had in no degree been affected by the importation of foreign cattle. It was the same with respect to corn. The bill of the right hon. Gentleman came into operation in the end of April last; but so little was the price affected by the measures, that the price of wheat during the first three months that the new Corn-law came into operation, did not range more than about a shilling per quarter below the price at which it had stood under the old law for the corresponding months of the preceding year. I do not, however, believe that one grain of corn has come into the country under the new law, that would not have been imported under the old law. At the close of July the average price was above 64*s.*; up to about which price I ventured last year to predict that the duty would be nearly prohibitory. Till that period no material quantity of côrn had come in, but the prospect of an early harvest, made it impossible to force up the averages by those frauds that had formerly been practised with so much success; and the consequence was, that in four weeks of August no less a quantity than two millions of quarters of corn was entered for home consumption. All the wheat that did come in was brought in at the time of harvest. The consequence was an unnatural depression of the market, during the autumn, as the price had been unduly raised during the spring. The new law, therefore, in its effects, both upon the agricultural and manufacturing classes, was just the same as the old law. To the producer, as well as to the consumer, the whole bill was a dead letter. I hope that by this time the agricultural members will feel that they also are made to suffer by the operation of the sliding-scale. I hear of a fair trial being required for the new law; it seems to me that it has already been tried and condemned, and whatever the principles of the Corn-laws may be, whether the duties be intended for protection, for revenue, or merely for registration, I hope that, at all events, we shall get rid of our present state of uncertainty, and come at length to something fixed and determinate. But the real and main cause of the low price both of meat and corn, I am convinced is to be found in the want of demand, and diminished consumption of the masses of the manufacturing population. I have been told, from authority on which I place the fullest reliance, that in Stockport, during three months of the year 1842, the number of cattle killed was less by 700 than the number killed in the corresponding period of the year 1841; and I am further told by a high agricultural authority that there is not at this moment a sufficiency of fat cattle in the country to meet the ordinary demand of our population, if that population were in an ordinary condition. I believe the same want of demand is the main cause of the low price of corn, and I am convinced that it will be to the interest of all classes that a stimulus should be given to trade, I believe that no advantage that we landlords can hope for from a protective Corn-law, is to be compared to the advantage we should be certain to derive from the general prosperity of the country. It may be that I feel this more strongly in consequence of residing in the neighbourhood of the manufacturing districts. We there find the population lately absorbed by the towns, now thrown back upon the agricultural parishes; the surplus labour in them is in consequence increased; and the poor's-rates rendered still more burdensome. I am sure there is hardly a landlord or a farmer now in Yorkshire who is not aware that he must look to the general revival of trade for the improvement of his own condition. There is, however, a consideration referred to in her Majesty's Speech, which will bring this home to every man in the country, and that is the state of the revenue. To the distress of trade the fall of the revenue is chiefly owing, to the improvement of trade we must look for its restoration. I firmly believe that the country is now to a considerable extent paying the penalty of rejecting in 1841 the measures then proposed by her Majesty's government; that those measures were founded on sound principles may be denied by the supporters of her Majesty's present Government, but will not be denied by the Government itself after the declaration made last year by the right hon. Gentleman at the head of that Government. We may be told, indeed, that the proposed measures were faulty in detail, but it is not possible that hon. Gentlemen opposite will now deny that those measures were calculated to effect an improvement in our trade as well as in our revenue. We were told, indeed, at the time, that no such measures were necessary; that a change of Government was all that was required to fill the Exchequer; but it now appears that after right hon. Gentlemen have been eighteen months in office, the deficiency is larger than it ever was before. I know not whether the Secretary of the Treasury means in the early part of the present Session, as on former occasions, to lay a balance-sheet on the Table of the House; but if he should not do so, it will probably be moved for, and when that balance-sheet is produced, I believe we shall see a statement of our finances, much worse than has ever before been laid before Parliament at a corresponding period. On the 10th of October there was a deficiency of two millions and a half. Has that deficiency been lessened in the last quarter? It is not likely that the expenditure has been less, and the revenue has fallen short by the sum of 940,000*l.* I believe, therefore, that I shall not over-state the deficiency on the 5th of January 1843, at 3,500,000*l.*, and I am confirmed in this opinion, by seeing that on the 5th of January last the deficiency bills exceeded the amount of the 5th of January, 1842, by about 2,000,000*l.* I cordially concur in the hope expressed in her Majesty's Speech, that the proceeds of the Income-tax may cover this deficiency; but if so, the proceeds of that tax must double the amount of the right hon. Gentleman's estimate. The produce of that tax may probably exceed the amount which was calculated, but the excess must be great indeed if it proves sufficient to cover the difference between the revenue and the expenditure, for there has been a general falling-off in all branches of the ordinary income, with the single exception of the Post-office. Without an extraordinary and unexpected receipt from the Income-tax, or the arrival of silver from China, the deficiency this year is not likely to be less than that of last year. In the Customs, the falling-off may be explained by the reduction in the importation duties, but it is in the Excise that the greatest falling-off has taken place, and the amount of revenue derived from the Excise has generally been taken as a test of the prosperity of the people. Indeed I think it can scarcely be doubted by any one that the distresses of the people are the real causes of the falling-off of the revenue, and that we can look for a more productive revenue only to an improved power of consumption in the people, to an increased employment of our population, and to an increased demand for labour. To obtain these ends we must facilitate the importation of those foreign goods which constitute the means of payment to this country for its manufactures, and this we must do without loss of time if we look to be relieved from that onerous impost which can be removed only by an improvement in our ordinary revenue. It is difficult for me not to believe that, after all, some such measures are not contemplated by her Majesty's Government; and I still hope that, before the conclusion of the present debate, we shall obtain some assurance from the right hon. Gentleman to that effect. It might be unpalatable to many of the hon. Gentlemen who sit behind the Treasury Benches, it might be unpalatable to the hon. Member for Dorsetshire who had announced to his constituents that he considered the present Corn-law, a final settlement of the question; but if the right hon. Baronet will fairly carry into practice the sound and liberal principles which he had put forth during the last Session he may rely with confidence upon the support of the Gentlemen who sit on this side of the House. On our support he may rely for the purpose of carrying out those principles which he and we are agreed in considering the only sources of future prosperity. The present condition of the people is such as I believe the oldest man now living does not remember to have seen anything like it before; it is such as indicates an extreme depression of commerce, and the necessity of some general measures for the correction of the evil. Every one agreed that the causes were not temporary, and the inference from that was, that the remedy must be of a permanent nature. The country had now arrived at a crisis not very dissimilar from that which occurred before 1825, and 1826, when Mr. Huskisson found it absolutely necessary to relax the then existing commercial regulations in order to obtain the revival of trade. The measures were applied and trade revived. A similar epoch has now arrived, and it is only to similar measures that we can look for a revival of trade, for the improvement of the revenue; and for an improvement in the social and moral condition of the people.

Sir *R. Peel*: I am happy, Sir, to infer from the general tone of the speech of the hon. Member who has just addressed you, and from the spirit in which the speech was received by those who generally concur in opinion with him, that there is every prospect of an unanimous vote on the Address in answer to her Majesty's Speech. I listened to the hon. Gentleman's speech, and particularly to that portion of it which referred to the foreign policy pursued by this country, with great satisfaction. It appeared to me, that the hon. Gentleman was willing to afford his unqualified approbation to the policy which governed the conduct of Ministers with respect to foreign affairs generally; and the only reserve he made referred to the conduct of the Government in relation to those districts west of the Indus. I concur with the hon. Gentleman in the observations which he has made respecting the great skill and ability with which the military operations were carried on in India, and the constancy and valour of the troops engaged in executing them; and I also concur in the justness of the remark that these will be more properly brought under our view when the notice upon the books calls the attention of the House more particularly to the subject. That will be the more becoming season to enter upon such a subject; and for that reason, I shall not at present dwell upon it. The hon. Gentleman, in referring to that portion of the Queen's Speech which alludes to the treaty lately concluded between this country and the United States, for the regulation of the boundary question between Canada and the state of Maine, said very truly, that the possession of a few hundred square miles of territory, more or less, was of little importance compared to the adjustment of differences which had now existed for nearly half a century between two great nations—differences which, from their long continuance, and from their peculiar nature, were calculated, unless speedily and definitively adjusted, to leave but little hope that peace could be preserved between the two nations. I was glad to hear the hon. Gentleman's frank admission with respect to the settlement of the boundary question, and I feel satisfied, that I shall be able, when the occasion offers, to show the House that the country is under great obligations to the noble Lord by whom that adjustment has been effected. That noble Lord had almost retired from the turmoil of public life; but, influenced by a high sense of public duty, he abandoned the repose of private life, and quitted his country to enter upon the task in which he so happily succeeded. I could show, if the policy of that noble Lord had been called in question, in this House, as it has been out of doors, that the treaty which was effected by him affords to the country every thing which can be considered essential to the security of our North American possessions—not perhaps as much as we were justly entitled to, and had a right to expect; but, considering the uncertainty attached to the interpretation of the old treaty, considering the great length of time which had since elapsed, taking into account that the geography of the country was in a great degree unknown at the time of first assigning the boundaries, and considering the difficulty, not to say the impossibility, of exactly ascertaining the intentions of those by whom the assignment was made, we should feel satisfied to accept, not, it is true, all that we claim, or all that we are entitled to, but such a division of the disputed district as secures our British possessions in North America, and at the same time preserves our military communication uninterrupted. The adjustment of the question by Lord Ashburton is far more favourable to this country than that formerly proposed by the King of the Netherlands, and in which we were willing to concur. It should be remembered, that since the interference of the King of the Netherlands a fresh difficulty was added, by the occupation of a portion of the territory in dispute; and in 1839, the hostile parties had almost come into conflict upon it. This being the case, I feel that I shall be fully enabled, if the policy of the late treaty be called into question, to show, that not only the honour, but the interests of the country have been carefully provided for. In America, as here, there are parties trying to obstruct the treaty. Mr. Webster is taunted in America because he receded from his extreme position when he saw there was no other way of coming to an amicable settlement. Here the treaty is called the Ashburton capitulation, there the Webster capitulation, but I hope the good sense of both countries will recognize the policy of relinquishing extreme pretensions which could not have been maintained without endangering the continuance of peace. No other advantage is to be compared to an amicable settlement between two nations of kindred origin, of kindred language, and of interests as kindred as their origin and language. I rejoice that the hon. Gentleman has given me an opportunity of making some observations on the late message of the President of the United States. The sincere and honest desire I have always entertained for the maintenance of a good understanding between this country and the United States, and the spirit in which I have always spoken of America, makes it a doubly painful duty to me to have to refer to that message, which, I am sorry to say, does not give a correct account of the negotiations relative to the right of visit. Perhaps I may do right to confirm what the hon. Gentleman has said, that there is nothing more distinct than the right of visit and the right of search. Search is a belligerent right, and not to be exercised in time of peace, except when it has been conceded by treaty. The right of search extends not only to the vessel, but to the cargo also. The right of visit is quite distinct from this, though the two are often confounded. The right of search, with respect to American vessels, we entirely and utterly disclaim; nay, more, if we knew that an American vessel were furnished with all the materials requisite for the slave-trade—if we knew that the decks were prepared to receive hundreds of human beings, within a space in which life is almost impossible, still we should be bound to let that American vessel pass on. But the right we claim, is to know whether a vessel pretending to be American, and hoisting the American flag, be *bonâ fide* American. We claim the right to know whether a grievous wrong has not been offered to the American flag; to know, for instance, whether a Portuguese or Brazilian schooner, sailing under the American flag, be really what she seems to be. In the admirable despatch of my noble Friend, dated the 20th of December, 1841, he wrote thus:—

> "The undersigned apprehends, however, that the right of search is not confined to the verification of the nationality of the vessel, but also extends to the object of the voyage, and the nature of the cargo. The sole purpose of

the British cruizers is to ascertain whether the vessels they meet with are really American or not. The right asserted has, in truth, no resemblance to the right of search, either in principle or in practice. It is simply a right to satisfy the party, who has a legitimate interest in knowing the truth, that the vessel actually is what her colours announce."

I am surprised the United States should contest this, considering the many small states by which they are surrounded, and how easily their revenue might be injured if it could once be established as a principle that a foreign vessel might become exempt from visitation by hoisting any particular flag. With such a principle recognized, neither the revenue nor the commerce of the United States could be safe for an instant. But I know that the United States do liberally exercise this right in the seas adjacent to their own coast; I know that if a Mexican vessel were to hoist the British flag under suspicious circumstances, the United States would not hesitate to exercise the right of exposing the fraud; and, knowing this, I am the more surprised at the claim now set up by the President of the United States. Therefore, Sir, it will be my duty, in the face of the public, expressing deep regret that there should appear to be any difference of opinion on this topic, explicitly to declare that we have not waived one of the principles contended for by my noble Friend (the Earl of Aberdeen) in his despatch of December 1841; and it is further my duty to declare that that despatch has remained to the present hour unanswered by the government of the United States. I know, I think, too well what is the ability, and what the keenness of a secretary of state in the United States, to believe that if doctrines so important as those advanced in the despatch could be questioned, it would have been permitted to remain fourteen months unanswered and unacknowledged, had it been thought wise to contest those principles. And, Sir, with respect to this right of search, that not belligerent but conventional right which is used by one power for the purposes of humanity, to check the traffic in slaves, I am bound to say that, even on that point, I am surprised at the determination with which the United States refuse that mutual right. I am now speaking of that right of search which, by the treaties with the great powers of Europe, by treaty with France and other states, is mutually conceded by parties desiring to prevent effectually the traffic in slaves—a right to search vessels belonging to each country which is a party to the treaty, detected in the act of carrying on this trade. For, in the year 1824, a convention was signed in this country, by Mr. Rush, the minister of the United States, almost at the instigation of America, which professed the utmost desire to put an end to the slave-trade. A convention, I say, was signed by Mr. Rush and Mr. Huskisson, which did mutually concede the right of search; that is to say, which enabled vessels of war, of the United States and Great Britain respectively, to exercise, under certain stipulations, that very right of search against which such a clamour is now raised in a neighbouring country. That treaty was rejected by the senate of the United States, not on the ground of an objection to the right of search, but because the right of search extended to the coast of America, and the United States objected to the right of search being exercised in the immediate neighbourhood of the coast of America, alleging that it was not necessary for the suppression of the slave-trade. The senate of the United States omitted the coast of America, and Mr. Canning refused to ratify the treaty in consequence of that omission; but if Mr. Canning had allowed the coast of America to be omitted from the treaty, at this moment a convention authorising the right of search would have been in force with respect to the United States. Sir, I hope that those who have contended with so much vehemence in the legislative Chamber of France against the maintenance of treaties framed in the pure spirit of humanity, and who quote the example of the United States, will refer to that convention, and see that the United States themselves were among the first to permit that conventional right of search. There must be some great misunderstanding upon this subject; but, considering the importance of maintaining this right—a right not peculiar to England—considering that we are contending for a right which is the only security against fraud, against the grossest abuses by parties interested in this iniquitous traffic, considering that we are now the advocates of a principle necessary for the interests and security of all maritime nations—it is my duty to state, in the face of the House of Commons, that the claim to that right of visitation contended for in the despatch of Lord Aberdeen has not been relinquished; that on this subject we made no concession whatever, and that to the principles laid down in the despatch of Lord Aberdeen we adhere at this moment. With respect to the treaty which we have entered into with the United States, in signing that treaty we consider that we have abandoned no right of visitation. We did not understand from the United States that they entered into that treaty with any engagement from us to abandon the right of visitation, which is not necessarily connected with the question of the slave-trade. We thought that it was a step in advance when the United States professed a readiness to detach a naval force to the coast of Africa, for the purpose of suppressing the slave trade. We did not accept the detachment of that naval force as an equivalent for any right which we claimed; yet still we thought that for a great country like the United States to take that step with us on the coast of Africa, although the power of visitation is limited under the treaty in such case, although we claim no right to visit slavers which are *bona fide* American, and the right is to be exercised by vessels of the United States—we thought it, I say, a step in advance towards the ultimate suppression of the slave-trade to accede to the proposition of the United States. But in acceding to that we have not abandoned our claims in the slightest degree, nor did it ever make any part of our intention, during the controversy, to abandon the right to which we lay claim in the despatch I have mentioned. We have not contented ourselves, Sir, with leaving this fact to become known by a declaration in this House; for, since the appearance of the President's message we have taken an opportunity of intimating to the United States the construction we place on the treaty. I trust, Sir, that I have said enough to satisfy the House on this point; I trust, also, that although compelled to avow a material difference of opinion between the two Governments upon this particular question, I have stated this difference of opinion with the respect which I wish to maintain towards the high authorities of the United States. Sir, I do not recollect that any other question of foreign policy was adverted to by the hon. Gentleman; but he commented, in the course of his observations, on the state of the public revenue. I am quite ready to admit that the present appearance of the revenue is most unsatisfactory, and the hon. Gentleman said he hoped there would be produced, or, if there were not produced, that he himself would call for it, a balance sheet, which would demonstrate that fact. Now, I tell the hon. Gentleman at once that when he gets possession of that document his prediction will be fully verified; I tell him that that document will present a most unfavourable appearance; but I think he will admit that nothing would be more unjust or unfair than to infer the future state of the revenue and its future prospects from what shall appear on the face of that document. In the course of the last Session I stated that there was then a great deficiency, on comparing the revenue with the expenditure. I stated also that I proposed to create a new deficiency, that I proposed to remit, or at least to reduce duties which formed a very important source of revenue, the import duties on many articles which were the elements of manufactures in this country, and on many articles of general consumption which were productive in point of revenue. The article of timber, and others almost equally important, were included; and altogether I believe that a reduction was effected on 700 out of 1,100 articles comprehended in the tariff. That reduction of duty, too, took place at an early period of the financial year; in some instances from July last, in others, from October. Of course the reduction of duty taking place at an early period of the year, had a very material effect in increasing the deficiency of the revenue; and the taxes which were imposed by Parliament for the purpose of supplying that deficiency, the income-tax especially, has not yet been productive. At least they had not by any means come fully into operation. I do not know, then, that the present moment affords us very safe grounds for judging of our financial prospects; but at any rate it would be most unfair to draw discouraging inferences at a conjuncture when all the reductions have taken effect, while the receipts which were calculated upon to make up for the deficiency have not yet come to hand. Sir, the hon. Gentleman states, and states truly, with respect to the Excise, that that branch of income has been most unproductive. That is quite true.

The Excise has been unproductive, and it was thought advisable, in the Speech from the Throne, at once to admit the fact—to admit it with deep regret, but candidly and at once. There can be no doubt that the reduction in the Excise revenue has been in part caused by diminished consumption, which is an evidence of the depression of manufacturing industry and of the prevalence of general distress. It was thought proper at once to make that admission, but, at the same time, I wish to caution the House against drawing too unfavourable and gloomy inferences with respect to the fact of that reduction. I admit the diminution in the Excise and in the taxes, but I think a great portion of the diminution must be attributed to the very unfavourable harvest of the year 1841. The defalcation in the revenue, it appears to me, has proceeded in a great degree from that source. I think the reduction on that account alone has not been less than 900,000*l.* In the produce of the malt duties and also of the spirit duties there has been considerable diminution; but with respect to the latter, it is not to be ascribed altogether to distress, for improved habits of temperance are becoming more general here as well as in other countries, and that there is a tendency to a diminished consumption of spirituous liquors as compared to former periods. But the great reduction in the Excise has arisen from the reduced manufacture of malt, which is in a very great degree the consequence of the unfavourable harvest of 1841. I am not contesting the existence of distress, and I cannot allude to the subject without expressing the deepest regret, but at the same time do not misunderstand me. I wish to caution the House of Commons against drawing too unfavourable and gloomy inferences regarding our position. The hon. Gentleman says, every thing is infinitely worse than it was five or six months ago; but at any rate he cannot deny that there has been a very great reduction in the price of all the chief articles of consumption. You say that the Corn-law has had nothing to do with this, but that was not the language of last year. You say it has not in the least checked the spirit of speculation, that corn was poured in just at the time when it would have been poured in before, and that the fact of the reduction of the price of grain is to be attributed, not to the operation of the new law, but to a productive harvest last year. Now, the language I heard in June and July last was, that the harvest would certainly be unproductive; and the holders of corn were encouraged to keep back their stock by confident predictions that the harvest would be unfavourable, that the prospects it held out were extremely discouraging, and that, from information collected from very numerous sources, it was certain that the harvest of 1842 would be no better than that of 1841. Sir, I ventured to entertain different opinions; I cautioned the holders of corn against such advice, and recommended them to form no such conclusion. They, however, kept back their corn, and certainly it cannot be denied but it was at one particular time thrown into the market in considerable quantities. But let hon. Gentlemen rest assured that whatever be the Corn-law, there will be at a particular time great speculation as to what the produce of the harvest will be; and when it is found that it will be abundant, depend on it that there will then be a tendency to introduce foreign corn, in order to secure a good price while the opportunity exists. There must be uncertainty in the price of an article, the production of which depends so much on the nature of the season, and which, of course, must greatly vary in quantity in different years. The hon. gentleman may depend on it that a great part of the evil which he attributes to the effects of the law passed last session will at one particular period always take place, because at that period there must be uncertainty as to the produce of the future harvest; but if the Corn holders last autumn kept back their corn, and then poured it in at a particular moment, those gentlemen who assured them that the harvest would be unproductive are responsible for that result. Now with respect to the Excise I have a return of the duty on malt for the two last quarters of the year 1842, compared with the corresponding quarters of 1841. They are the only two quarters with which it is possible to institute a comparsion. In the quarter ending in October, 1841, the quantity of malt made from barley, the produce of the crops of that year, was 376,000 bushels. In the October quarter of 1842, the number of bushels of malt amounted to 604,000. In the quarter ending in January, 1842, the number of bushels of malt was 8,951,000. In the last quarter, ending January, 1843, it was 10,567,000. So that in the two last quarters of the present year, as compared with the same quarters of the preceding year, there has been an excess of 1,844,000 bushels. That is a conclusive proof of one or other of two things, either the consumption of malt has increased, or that an unproductive harvest very materially affects the revenue. In considering the financial deficiency of the year—therefore I contend that a very large portion of it must be ascribed to the fact of a bad harvest. Sir, I do not think this a fit opportunity to enter into lengthened details on the subject of finance. Future opportunities of entering fully into that subject must occur, but when the hon. Gentleman picks out the consumption of a particular period on which to ground an unfavourable representation of the case, I hope the House will not be led to draw a rash inference. I think I can show them in the state of the savings banks circumstances corroborating the view I take of this matter. An extraordinary effect was produced in the withdrawal of deposits from these banks, by the disorders which prevailed in the autumn of last year. During the suspension of industry in the north, the amount withdrawn from the saving banks was very great, and we have conclusive proof in the state of the revenue, that the disorders contributed greatly to diminish consumption; but since they have ceased this is no longer the case, and deposits have increased, speaking generally of the savings banks, in the manufacturing districts. I know this is not conclusive, in showing the condition of mere artisans and mechanics, but at the same time inferences may be drawn from the amount of deposits in the savings banks, which negative, at least, that very unfavourable view of the position of the country which the hon. Gentleman has taken. That distress still exists in many districts, and especially in parts of that country with which the hon. Gentleman is connected, I admit, but I think there are indications of an increased consumption of some articles which justify a hope, at least, that the physical condition of the people is now in some respects improving—a hope too encouraging not to be seized on with avidity if it rests on a solid foundation. The hon. Gentleman asked what further measures I am prepared to introduce in order to carry out the principles on which I last Session declared my resolution to act. I stated, in explaining the measure then passed, the general principles which I thought ought to guide the commercial policy of this country; and I said that I thought we ought to give as far as possible new scope to commercial enterprise. To the principles then laid down I adhere; but when I stated them, I at the same time referred to the many complicated considerations which must be borne in mind when you attempt to introduce and apply principles, unquestionably sound, to a country such as this. Sir, I made in the course of last year, with the aid of my friends and colleagues in office, more extensive changes in the commerce of the country, and the code which regulates it, than were made at any former period. If I had contemplated any further immediate extensive changes, I would at once have proposed them, in the course of last Session. Why should I not have done so? I stated the general principles on which I proceeded, and to those general principles I adhere, but I did not lead hon. Gentlemen to expect that I would go on, year after year, introducing extensive changes. I thought it would be infinitely better, when I had made up my mind as to the changes which ought to be proposed, to propose them all in one year, than to propose only a certain number of them in that year, with the secret reservation in my mind of an intention to introduce more during the next. Whatever changes I propose, will be in conformity, when I do propose them, with the general principles which I laid down, by which I am still guided, and of the truth of which I am perfectly convinced. But as I said last year, at the time of my laying down these principles, I cannot forget that in this country protection has been the rule—that under it great and extensive interests have grown up, and that if, in stating better principles, and substituting a better system for one that is defective, you proceed too hastily, if you produce distress in consequence of your beneficent efforts to introduce contentment and happiness, you run the risk of obstructing the free and rapid progress of those principles. It is, therefore, not in my power to assure the hon. Gentlemen that I have any great and extensive changes to propose in the commercial code of this country, when I do propose changes, they will be in conformity, as I have said, with the principles I laid down on former occasions; but I should be deceiving the hon. Gentleman if I led him to expect in the present Session any such extensive alterations as those at which he hints. Sir, I will not now enter into a vindication of the Corn-laws, or of all the details of the course I pursued last Session, with reference to the alteration then made; because an opportunity will probably be afforded by some Gentleman who takes a different view of the subject from myself for discussing their operations and effects. It may be in the power of some hon. Gentlemen to adduce reason for believing that some better system ought to be enforced, but this I must say, that the event has proved that many of the arguments directed against that Corn-law which I proposed have not been fortified by experience. With respect to the alteration of the averages, for instance, it was confidently said, that the introduction of the new towns into the lists from which they were made up, would have the effect of lowering the price of corn, I think by *5s.*, and consequently increasing the duty. Now I shall be able to show that the introduction of the new towns has been an effectual corrective of fraud, but, at the same time, that it has not had the effect attributed to it by the hon. Gentleman, and which he himself admitted that he over-rated in the first instance. I certainly do remain of opinion that that law has not had a sufficient trial to warrant me in proposing the abrogation of it; I cannot say that I think the effect of it has been unfavourable, and I do not believe that the objections which have been urged by the hon. Gentleman apply to it. Sir, when I introduced the Income-tax, I stated my firm conviction that the effect of the other laws I proposed would be to enable the party called upon to pay the tax to make a saving in his expenditure, equivalent to the sum which I should take from him for the Income-tax. My belief is, Sir, that that prediction has been fully verified, and that there has been a reduction of prices which does enable parties to make a saving in their expenditure, equivalent to the sum they will be called on to contribute in the shape of Income-tax. There will probably be other opportunities of discussing these important matters; but when I am asked to come forward and declare whether I contemplate extensive changes in the Corn-laws, I feel it right to avow that her Majesty's Government have it not in contemplation to propose such extensive changes.

Lord *J. Russell:* I can assure the House it is not my intention to express by my vote any dissent from the Address which has been moved in answer to the Speech from the Throne. I think, considering the great variety of topics which are touched upon in that Speech, and the great difference of opinion which prevails with respect to some of those topics, the Speech has been judiciously and wisely framed, in order to avoid occasion for any difference of votes on this, the first night of the Session. Among the various topics of the Speech I will take first that which is of a very gratifying nature, namely, the successes of our armies in China, and the honourable and satisfactory peace which has been concluded with the emperor. With respect to that subject I am quite willing to agree with the hon. Gentleman who seconded the Address, who praised the energy and promptitude with which her Majesty's Ministers have directed the military and naval forces at the disposal of the Crown, in order to obtain an honourable peace, and bring the war to a termination. If there had been any change made with respect to the means which were placed at their disposal by the late Government when they left office, if there had been any intimation that they were obliged themselves to prepare those means which they found ready to be sent to the scene of action, I would have felt myself compelled to enter into that topic; but as nothing of the kind has been said, I am most willing to bear my testimony to the promptitude and decision with which that war has been brought to an honourable conclusion. Another topic, of far more difficulty, and in which we require some elucidation before we come to the motion for a vote of thanks, of which the right hon. Gentleman has given notice, relates to our operations in Affghanistan. These operations do the greatest credit to the gallantry, the skill, and military talents of the generals who were placed in command of our troops; to General Pollock, to General Nott, to General Sale, and to many other officers placed in subordinate command. But, Sir, if the right hon. Gentleman is to move thanks to the Governor-general and to the army, there are one or two points on which I think he will especially be bound to give some information to the House. One of these I did not hear at all touched upon by the hon. Gentleman in the course of his speech—and that is the statement to which my hon. Friend alluded—that the operations which were so triumphant, and the victories and successes of our troops, were stained by a spirit of revenge and retaliation. I am sure both this House and the country will greatly lament that any glory which we may have acquired, any valour which may have been shown, should be accompanied by any acts of violence inconsistent with that humanity which not only England, but all the great civilised nations of Europe, have for centuries combined to maintain. The other point refers to the remarkable course taken by the Governor-general with respect to the last expedition to Affghanistan. The rumour is, that at a certain period the Governor-general issued an order for the immediate retirement of the whole of the troops from the country. We have not been told whether there is any proof of that order having been issued, neither have we been told—for, from the equivocal phrases of the right hon. Gentleman, I could not collect his meaning on this subject—whether the Governor-general himself directed operations which subsequently took place, and which were eminently successful, or merely permitted Generals Pollock and Nott to carry into effect their own plans and measures, without any positive instructions on his part. I think the right hon. Gentleman must see it is of the greatest importance that this point should be cleared up before he asks for the thanks of this House to the Governor-general of India. Generally speaking, when instructions have been given to the Governor-general, it has happened that he has been the person who has given directions for assembling the army, and who has prepared the expedition. This, I think, was the case with the vote of thanks to Lord Minto for the expedition to Java, and with that to Lord Auckland for the first expedition to Affghanistan. But with respect to the preparation of the troops, the whole of the force of which the army of advance consisted was already assembled, and beyond the Indus at the time when Lord Ellenborough arrived and assumed the command. Of course, it was no blame to Lord Ellenborough that he did not assemble the troops; but of course, also, the mere fact of his being Governor-general of India at the moment, would not entitle him to the thanks of this House, which the right hon. Gentleman moves us to grant. If he has not given orders for the advance of the troops, then, though he may have been Governor-general of India at the time when the operations took place, it will be proper not to take such a course as that of giving the thanks of the House where none are required. I hope, therefore, that before they are moved, the right hon. Gentleman will give us information upon which we may proceed to grant or not to acquiesce in the motion of which he has given notice. I can assure him, with respect to that part of the Governor-general's conduct, I have no wish to refuse him any thanks he may appear to have deserved from a consideration of the facts and circumstances of the case. But, Sir, in speaking of the conduct of the Governor-general of India, now, upon the first day of the Session, although we may have other opportunities of discussing these important subjects, I cannot omit to notice the two remarkable proclamations which are said to have been issued by the authority of the Governor-general. In the first of these proclamations there is, in the first place, what I shall call a violent party attack upon his predecessor. It was the intention of the act which last passed for the renewal of the charter of the East India Company, as stated by Lord Glenelg, when he opened the subject, to keep the politics of India as far distant as possible from the party dissensions of this country. He stated that, as one of the motives for the bill which he brought forward, and, I think, justly stated that it was most desirable that the heated atmosphere of party conflict in this country should not reach the Government of India in the exercise of those great functions with which it is invested. But I must say, that in the commencement of the first of these proclamations there is such a misrepresentation of the conduct of an antagonist as hardly ever takes place in the utmost heat of debate in this or the other House of Parliament. In the next place, I find in the same proclamation a very extraordinary, and to me, I should say, a very shocking declaration, with respect to the intentions of the Governor-general as to Affghanistan. He states, that he is about to leave Affghanistan to that anarchy which the crimes of the people of that country have produced. I am not disputing the policy of abandoning the country—the executive government must have far better means of information upon that subject, than I possess—but if it was thought right to evacuate Affghanistan, if the continuance of our armies in that country was too great a drain on the resources of India, if the disasters which had taken place at Cabul, had so inspirited the enemies of the British name that it would not have been possible, without enormous and endless sacrifices, to establish permanently a government such as Lord Auckland had contemplated—yet I should have thought that even in this case the policy of the Governor-general would not have been a mere policy of malignant revenge; that he would have endeavoured as far as possible to leave Affghanistan in the hands of some chief capable from his character of gaining the confidence of the people of that country, to re-establish as settled and regular an order of things as it was possible to obtain; and to attain, whether by a native force, or by such other means as the Governor-general could leave with him, or to have some chance at least of attaining that which Lord Auckland declared he hoped would be the result of the expedition, the foundation of a government in Affghanistan favourable to the maintenance of relations of peace with India, and to the development of industry in that country. To me it appears, therefore, by that proclamation—and of such a construction it is unquestionably susceptible—that the policy has been as contrary to the dictates of humanity as any I ever remember to have heard of, namely, that, in consequence of the losses we have sustained, our sole purpose was that of retaliation and revenge. But there was also another proclamation—yes, there was another proclamation, the very mention of which excites almost the ridicule of those who have read it; a proclamation so strange, that, I believe, there were many persons in this country who believed the document was not genuine. I have heard, indeed, of some sagacious persons, who were made the dupes, last year, of a very clever article which appeared in one of the newspapers, pretending to give an account of the debates in the French chambers, which account they believed to be a legitimate report—that those persons, on the present occasion of the proclamation to which I am now alluding, said, " No, our sagacity is now revived; we won't be taken in this time; this is really too bad; this hoax is too plain." But, though there is so much in the proclamation that is very absurd, and many might be disposed to laugh at the idea of " the temple of Somnauth," and the " despoiled tomb of Sultan Mahmoud looking upon the ruins of Ghuznee," yet the whole substance and tone of the document inspires me with another feeling. The hon. Member has spoken of the introduction of Christianity into China. Much as I desire the introduction of Christianity into China, I could not approve of any attempt to introduce it that should be inconsistent with the most perfect respect to things which other people conscientiously believe to be sacred. I should be sorry if any attempt should be made to accomplish that most desirable event that should savour in the least of violence; but that men coming from a Christian land, imbued, as might be reasonably supposed, with respect for the religion of their country, should be found to pay the same respect to Pagan superstitions, and the most gross idolatry does appear to me not only extraordinary, but also calculated to lessen that hold and that influence which the English Government ought to maintain in India. I am told that the most superstitious of the natives have actually no knowledge of this legend of 800 years ago, and that such a reference to it, as regards the more enlightened of the Hindoos, must materially diminish their respect for our religious consistency, when we could be capable of paying to that we should regard as superstition and idolatry almost the same respect as we should to our own faith. These are not simple and insulated blunders. They alarm me with respect to the general sober and judicious conduct of the Governor-general. The noble Lord who fills that high and important office is a man of considerable talents. He is a person who, when acting with others in the Cabinet or in the House of Lords, has given proof of his abilities; but when a man is placed in the, I may say, extraordinary position of Governor-general of India, where the millions of inhabitants of that empire are placed under his care—when so much of the power of that great country is entrusted to his hands, it appears to me that it requires more than common judgment, more than common exoneration from the temptations of vanity, to enable that man to carry on the government of India in a way to satisfy the people of this country that that empire is in no danger. I need not say anything with respect to the original expedition to Affghanistan. An hon. Gentleman has given notice of a motion on the subject; the question, too, was fully discussed last year. A right hon. Friend of mine, the Member for Nottingham, then made an admirable speech on the subject, and whenever it may be discussed again we shall be ready to enter upon it in connection with the proceedings of Lord Auckland. The right hon. Gentleman has answered my hon. Friend with respect to transactions in a different part of the world; but I think the right hon. Gentleman has a little exaggerated the statements made by my hon. Friend, who, I think, scarcely went to the extent the right hon. Gentleman would infer. With respect to the satisfactory adjustment of a question which, since 1783, had been in abeyance—with respect to that, or with respect to the satisfactory arrangement of any other matter between this country and another, having the same origin and laws, and speaking the same language as ourselves, so that relations of amity between them should be firmly cemented, there can be, I apprehend, no possible difference of opinion. But the terms upon which the late treaty I am alluding to has been concluded, form a very different question; and it is a question upon which, I frankly confess, I do not feel the same degree of satisfaction which has been felt and expressed by a great part of the country. And allow me to say, that I do not conceive that the friendly relations of a country are promoted by any concession which, on the face of it, is a disadvantageous concession. I do not think that a country gains anything by a great readiness to concede or abandon what she has. Having said so much, I will now add that I consider the first despatch of Lord Ashburton proposed a fair and just compromise of this question, and that despatch, I think, should have been more firmly adhered to. In saying this, I am not alleging that extreme terms should have been proposed, or extreme rights should have been insisted upon; I am only repeating that which Lord Ashburton himself in strong terms deemed indispensable to the settlement of the question. There is one part of this treaty which strikes one as showing a greater degree of readiness to yield than was absolutely necessary for the settlement of this question. The Americans believed those points they insisted upon to be just. We, on the other hand, believed our claims to be just. We had on our parts no more reason to apprehend the consequence of a war than America, although it is certain that we should have entered upon hostilities with as great reluctance as the people of the United States. These preliminary circumstances being equal, it follows that the settlement should have been equal on both sides. In the first proposition, Lord Ashburton had laid down certain points relating to the Madawasca boundary, which had been asserted by Lord Sydenham, and that proposition ought not to have been abandoned. Mr. Webster very ably argued that point; the river was so convenient and natural as a boundary, that it would prevent all disputes, and was by far the best settlement of the question—suppose the Madawasca settlement be given up, and that of the St. John substituted. But it proved, when we got a little higher up the St. John, that Mr. Webster proposed to cross the river, and upon that point I think Lord Ashburton might fairly have retorted upon him his own arguments as to the line proposed being so advantageous as a demarcation between the two countries. I do not myself see why a little more firmness on the part of Lord Ashburton might not have led to a more advantageous settlement of the question than has been arrived at by the present treaty. There is another circumstance which causes me to doubt whether a better settlement might not have been effected. When we discussed the Address to the Crown last year, I said I would then give no opinion on the policy of the concession, and during the whole course of the Session I never said or did anything, with regard to that concession, calculated to interfere with the progress of the treaty; and, on the contrary, when an hon. Gentleman did ask some questions with regard to the treaty, I expressed my entire concurrence in the prudence of the right hon. Gentleman opposite refusing to give the information sought for. But now that the Crown has taken that course which by prerogative belongs to it, the case becomes different; and I must say in one respect, although not in another, that the choice of Lord Ashburton was unfortunate. Of his talents, long experience, and knowledge of the United States, there can be no doubt; but it so happens that in 1838, Lord Ashburton after giving two days' notice to the other House of Parliament, expressed an elaborate opinion with regard to colonies in general, and Canada in particular, that no wise man could expect that Canada would belong to this country more than twenty years, and that if there was a wish on the part of the people of that colony to effect a separation from the mother country, he on his part, should be ready to forward that separation. I differ from the noble Lord in that reasoning, and upon the merits of it I am not now about to enter, but to observe that when a person holding that opinion had to negociate with an American Secretary of State, that Secretary of State might be very likely to say to him—"It is not your object to have a strict military boundary. With your views, which are more abstract and philosophical than ours, it can matter nothing to you whether a frontier of that description belong to the United States or not." But having said this, let me not be construed as expressing the opinion that the concession the noble Lord has made has placed the security of our Canadian possessions in any imminent jeopardy. My opinion is, that our hold upon Canada, must depend, in the first instance upon your diligence. You have given them a constitutional government by which I think the affections of the people of Canada have been secured; and it may I think, be concluded that there is no wish on their part to separate. The next security is that assurance which I gave them when I had the honour to fill the office now occupied by the noble Lord opposite—that the Queen would be prepared to employ, as far as was in her Majesty's power, all the means and resources of this country in the defence of Canada against any foreign enemy whatever. I believe, on those two propositions principally rests the security of our Canadian colony. It is a collateral consideration, without doubt, that you should have a boundary to which you are fairly entitled. To that boundary I think more attention should have been paid, but I do not see that the security of Canada has been mainly affected by the concession. But there is still another view of this subject. In this country there was no great attention paid to the boundary line question. Very few people knew the reasons upon which either country rested its claim, or the exact advantage which would accrue to either country from this or that settlement. But the people of this country did look for the cementing of peace between this country and the United States. Regarded in that point of view, it was surely most desirable that a plain definite agreement should have been entered into. Has that been done? What have we heard to night relative to the construction of the treaty? Previous to the despatch of Lord Aberdeen, to which reference has been made, the question had been discussed between my noble Friend and Mr. Stevenson, when the same argument was taken up; and though the American minister in this country resisted the proposition of my noble Friend, the difference might have been adjusted. But what is the case now? You have the President of the United States giving to the people of the United States and of Europe, the announcement that there was an agreement and a treaty which bears a certain interpretation, and you have the right hon. Gentleman declaring that it bears no such interpretation. Can we, then, say that the question is completely set at rest, and that the treaty is completely understood on both sides, with these opposite declarations before us. I must say, that, with respect to this question of a treaty with America, as well as with respect to some others, there was rather too much hurry in saying that everything is settled upon the most stable foundations, while, in fact, a misunderstanding exists, and no such stability as was alleged has been gained. With the views I have stated in regard to this treaty, which has been entered into by the Minister, and ratified by the Governments, I should yet think that the House of Commons might safely refrain from giving their formal opinion. I do not, indeed, conceive that if the honour of the country is not concerned, nor her interests placed in jeopardy, this House ought to interfere with their opinion and advice. The remainder of the Speech from the Throne refers to the domestic situation of the country. That part of the subject has been entered into by my hon. Friend near me. I can only say, with the experience I have had of the Corn-law of the right hon. Gentleman, that if such experience has confirmed him in the wisdom of the sliding-scale, it has confirmed me also in the opinions I expressed in 1839, 1840, 1841, that a moderate fixed duty would be the best system upon which our trade could be based. At all events, I see that the operation of that sliding-scale is to keep out a quantity of corn in the country at one time, and let it in at another, when the consumer is not so much in want of it, and when the farmers are injured by the sale of so vast a quantity. The operation of the sliding-scale may be compared to the conduct of a gardener, who should leave his ground unwatered during arid heats, and when the rain had begun to fall, was to exclaim, now is the time to to water my plants, and was forthwith to carry on his irrigation. It was found last year that during all the early part the price was high, say about 60*s.* or 61*s.*, and at that time there was no great introduction of foreign wheat. But in August, when your favourable harvest was about to be reaped, then more than 2,000,000 quarters of foreign corn, and a proportionate quantity of wheaten flour were at once admitted to the immediate depression of the markets. Therefore it appears that when the people wanted relief they could not procure it, but that the operation of the sliding-scale has been, that speculators have been ruined because they could not obtain the price they expected, that the farmer has been injured by the depression of the markets, and that the consumer has not received that benefit which ought to have been given to him many months before. I cannot conceive that the right hon. Gentleman means permanently to defend the law. Nothing I have heard to-night has persuaded me that it is his intention permanently to abide by this law. I remember the principles expressed by the right hon. Gentleman, last year, in regard to the tariff, but I cannot square those principles with the present Corn-law. The right hon. Gentleman the Secretary of State was pleased to say, that he did not consider the measure a final one, and I presume he had some reason for using an expression to which some degree of unpopularity has lately been attached; but like the wish expressed by the Member of the Irish House of Commons for a little unanimity, it seems to me that some of the farmers must of late have wished for some of that same finality in regard to the Corn-law. I cannot but consider it impolitic to retain in one year what you mean to surrender in another. I cannot, moreover, believe from the declarations that have been made, in the course of the recess, that it is intended to retain the present law. I have observed that there has been a feeling growing up, that the Corn-law could not be defended in connexion with the existence of the principles of the tariff. We have had the Member for Essex declaring, and then explaining, and the Member for West Somerset explaining; then the Member for East Somerset making a declaration, and then, three weeks afterwards, he also was explaining. What is the cause of all this variation?—a variation, I must say, most uncommon and unusual in the class to which those hon. Gentlemen belong. Though it has often been my lot to differ from the principles of that class, yet I must say that the Gentlemen who belong to it are generally pretty firm and consistent, and pretty plain, too, in their method of expression. But their difficulty was this: they were taught that the security of agriculture did not depend upon protective laws and prohibitory duties, but upon competition, the exertion of industry, and the application of skill and capital to the cultivation of the soil. That was the defence, and an excellent one it was, which was put forth for the admission of cattle into the tariff. But then it was asked, "Do you mean to alter the Corn-law?" "Oh no," it was replied; "we think that agriculture requires a large protection." "Then if you think so, why do you put cattle in the tariff?" The truth is, the gentlemen belonging to the class in question have been put by the right hon. Baronet in a hard and cruel position. In the first year of the right hon. Gentleman's power, they are to defend a tariff, founded, not indeed upon the principles of free trade, but of free competition; and then they are to defend the Corn-law, which is utterly irreconcileable with every principle in the tariff. There is another view in which the farmers of this country were interested in the settlement of the question: it is while this Anti-Corn-law League continues to exist [to the principles of which I do not subscribe], and against the leaders of that League I may take the opportunity some day to defend myself; but, in the mean time, what says one of the leaders of that Anti-Corn-law League?—that in 1841 you had a claim to an 8*s.* duty; that a great proportion of the wealthy and influential subscribers to the League—those who gave to it its vitality and power—would have fallen off, had the proposal for the imposition of that duty been acceded to; that they would have been satisfied with that proposition as a reasonable settlement of the question; and that at this day there would not have been an Anti-Corn-law League in existence, but that that powerful and wealthy body would have been dissolved. Would it not, then, be for the interests of the agriculturists—those who have to pay the labourers—if they could say, "There is now no such powerful body agitating the country for a total repeal of the duties on corn?" That it appears, then, would have been the effect, if the House had chosen to adopt that much-reviled and vilified proposition of an 8*s*. fixed duty. If that be the case, why does not the right hon. Gentleman propose some scheme by which an end should be put to the agitation with respect to this subject, which is now going on in the country? Incongruous as I think the principles of the tariff are, in no articles is that incongruity more remarkable than in those of corn and sugar. I fear the result of the right hon. Gentleman's proceedings has been, that while he has disseminated some great principles, he has not at the same time given satisfaction to another great power — the power of growing opinion; and that, after all, he has brought into play two antagonist forces —established interest on the one hand, and growing opinion upon the other; and that those forces will be left to contend upon the field of battle, while all the enormous masses of men concerned, whether in the agricultural or manufacturing interest, will be looking on, uncertain on which side the victory will be determined; but, in the meantime, suffering all those evils which are necessarily attendant upon the prolongation of the contest. The Speech from the Throne declares that when the taxes which have been imposed shall come into operation, the revenue will be found sufficient to provide for the expenditure. I am glad to hear from such an authority, a declaration of the kind. Still those reasons which induced me last year to give my vote against every stage of the bill for the imposition of the Property and Income-tax, have been strengthened by the experience we have had of it. I do not wish now to go into any arguments in detail against that tax; I do not wish to make any observations upon its inquisitorial nature, or to force upon the attention of the House those points on which it affects the trade of the country. But there is one point to which I wish particularly to call the attention of the right hon. Gentleman, the Chancellor of the Exchequer, because it appears to me that the tax, as at present collected, amounts to a confiscation of a certain amount of property. I find that the right hon. Gentleman stated in an *ad captandum* manner last year, that incomes under 150*l.* a-year were not to be subjected to this tax. There is no law by which persons having only an income under that amount were bound to contribute to the tax; but I find there are instances of persons receiving only some of them 40*l.*, 50*l.*, or 70*l.* or 80*l.* from the funds, and yet the tax is taken from them in the first instance, and they are left without remedy. Oh! but it is said they may appeal. Take the case of a poor widow living at Boulogne having had this deduction made from her little annuity. She is told to come over to London, and if she can lose her time for two or three days, endure an examination before some board sitting there, and stand the buffetings and browbeatings from officials and their clerks who wish to get as much as they can from the tax, she may stand a chance of her money being refunded to her. But how many persons are there who are so timid or so infirm, that they do not like to go through all these official ordeals, and who in consequence sacrifice the money? If the law operate so, I cannot call it less than confiscation. Many complaints have been made in regard to house property. I have heard many instances of the way in which the surcharges have been made. I have been told of one person who made it a rule, whenever he got a return, to add 20 per cent to it. Of the injustice of this it is not necessary to say much. All persons do not make false returns. Take the case of two persons; one of whom returns 40 per cent. under the actual amount of his property, whilst the other makes a fair and full return. Now, by the practice I have mentioned of adding 20 per cent. to a return, you not only unjustly overcharge one man that amount, but you actually give the other, who makes the defective return, the benefit of a sum equal to half that of which he has sought to deprive the revenue. When honest persons are surcharged, they are told they have their remedy by going before some commissioners sitting in some place at a distance, convenient or inconvenient as the case may be, and that, if surcharged, they will recover back the amount. But numbers of these persons do not make the attempt to appeal, and the fact is the surcharge is made upon them in the confidence that they will not make that attempt. A person complained to me himself that he had a small freehold of 40*l.* a year, for which he was charged 150*l.* I told him his remedy but he represented to me, that his profession as an artist engaged him in another place at the time for appeal, and that he could not afford the time, had he the inclination, to be buffeted about before the commissioners. I am justified, then, in asking whether the people are not only to be subject to the burden, that a man is not only to submit to have affairs of business investigated and laid before some inimical attorney, perhaps, or some rival in trade, but that it must also be a condition of this tax, that money should be taken from them under its authority, but which they do not owe, and which is taken from them under the conviction, that they will not undergo the vexation and trouble of an appeal? It may be possible to remedy these things, and I think those who imposed the tax are bound to take every means to diminish the abuse which it has caused. There is only one other part of the Speech to which I shall now allude. It is that part relating to the disturbances in the manufacturing districts. That there was considerable disturbance and violation of the public peace there can be no doubt; yet I think that during those disturbances, which were attributable to the fact, that the working men considered they were not sufficiently paid, there was displayed on the part of the working men of those districts a conduct which deserves the greatest admiration. No doubt there were people who swelled the ranks of the crowd whose intentions were evil; but considering that that crowd was formed of thousands of people, who were the unemployed from the mills and the workshops, that there were strong inducements held out to them to join in the projects for the charter, and for the subversion of the constitution, and that insidious attempts were made for that purpose by the most artful demagogues, all of which temptations and inducements the people of their own calm deliberation, and by the operation of their good sense, at once rejected; considering, moreover, that the injury to life and property in these disturbed districts was comparatively small, I do think some praise is due to the sense and temper of the people, and that much of this is to be attributed to that general respect for and obedience to the law, and that appreciation of the blessings of the constitution which was displayed by the people at that time. Now I can see nothing resembling such a sentiment, either in the Speech which we have this day heard from the Throne, or in the Address which had been moved in reply to it. On the contrary, the Gentleman who seconded the Address spoke of the immorality of the people, who, he said, were easily led to listen to any demagogue. Why, no doubt, in a population of many millions, such as the population of this country, there were some who would follow demagugues; but that that is the general character of the great mass of the people of these kingdoms I utterly deny. I maintain, that, however imperfect the system of education in this country—however insufficient the schools as yet established in the manufacturing districts—however defective the plan upon which these schools are conducted, there is a great advance in the general knowledge and general good bearing of the people, compared with anything that existed at the conclusion of the war—compared with anything that existed in the years 1817 and 1819, when laws were passed in this House repressing the liberty of the subject. If that is the case, I think you ought to say something more to them than that you will repress with the utmost rigour of the law any excesses into which they may be betrayed. I think that her Majesty's Ministers should give them a pledge—that this House should give them a pledge that you will enter into a full consideration of the causes of the distress now so long prevailing—that you will pay every attention to all complaints of practical grievauce—and that while you are not ready to adopt every nostrum of political change dictated by demagogues, yet that you are ready, when any practical distress is suffered—when any practical grievance is endured—if that grievance can be traced in any way to the operation of the laws—to the administration of justice, or to any of the regulations which forbid a free intercourse between this country and other nations; if you find that the interests of the great body of the people would be advanced by an alteration or modification of existing laws, I think that you, as the representative of a people so long free, and so deserving of their freedom, should show that you are ready to take such measures, ready to attend to their complaints, and that, even while there be some disturbance amongst some classes, you value the examples of peace, order, and sobriety, which are the characteristics of the great body of the people of this country.

Sir *Charles Napier* objected to the articles of the Ashburton treaty. He complained particularly of the absence of any stipulation in the treaty with respect to the power of taking British seamen from American ships in time of war. As regarded the boundary question, he looked upon the treaty as the most ignominious treaty ever signed by a British minister. He did not say, that England ought to have obtained every point that she went for any more than that the Americans should have obtained every point that they went for; but he asked why the British Minister did not hoist his standard of resistance on the banks of the river St. John? Why he did not tell the Americans that beyond the limits of that river they should not pass, instead of allowing them to run their boundary up into the very centre of Canada? It was no excuse to say, that the territory abandoned was not of great value; no portion of it should have been surrendered without an equivalent. The land itself might be utterly valueless, but every mile of it became of importance when it allowed the Americans to run their frontier right up to the heart of the Canadas. He only wished to make one other observation. In the Speech from the Throne it was said, that the Syrian question was settled; but the House was left in utter ignorance as to how it had been settled. He hoped, that her Majesty's Ministers would see the propriety of giving some explanation upon that point.

Mr. *Wallace* expressed his entire dissatisfaction with the Speech which Ministers had chosen to offer to the country as coming from the Sovereign. He believed, that the people in general would think with him that the distress which pervaded the country from one end of it to the other should have been treated in a very different manner, and he was quite sure that that part of the country from which he came, to which there was an attempt in the Speech to pay a compliment, would know how to appreciate language which seemed to imply a doubt that Scotchmen could have had any other notion than that of paying a compliment to the Sovereign, and that Sovereign a woman. He was quite prepared to say, that the Income-tax, which had been so well alluded to by the noble Lord, the Member for London (Lord John Russell), was the root of all the new evil of which the country had now reason to complain. Yet it was that most iniquitous tax upon which the Minister reckoned as the source from which he was to derive the means to make up the deficiencies in the revenue which were occasioned by the distress of the country. He took it to be quite clear that the signal falling-off that had occurred in the revenue arose from the fact that the working and middling classes were not in possession of the means to command the ordinary comforts and necessaries of life. This, perhaps, was not anticipated by those by whom the Income-tax was proposed: but it was distinctly foreseen by those who looked around them, and saw the condition to which the great mass of the population of the country was reduced. He believed that there had never been imposed in this country any tax at once so injurious and so completely ill-timed. Allusion had been made to the depression of the manufacturing interest, but no intelligent man could look around him and fail to see that there was not an interest in the country that was not equally depressed. Take the shipping interest, for instance—one of the main interests of the country—when was that interest ever in a more depressed condition? If possible, it was at this moment even more depressed than the manufacturing interest; yet no allusion whatever was made to it in the Speech from the Throne. Notice had that evening been given, in various quarters, of an intention on the part of individual Members to bring the different points referred to in the Queen's Speech under the especial consideration of the House. He had intimated his intention of bringing forward a motion in respect to the general distress of the country; and he had no doubt that that motion, when submitted to the consideration of the House, would call forth an expression of opinion very different indeed from the slighting manner in which her Majesty's advisers had thought fit to pass over the unprecedented state of things which now existed in this kingdom. He used the term "unprecedented" advisedly, for he maintained, and at the proper time should be ready to show, that this country had never in all its history been in a state of such general misery and destitution as at the present moment. Moreover he was convinced that no Speech ever attributed to the reigning Monarch of these kingdoms could carry to every part of the nation a feeling of such general dissatisfaction as would be produced by the Speech that had that day been addressed to them from the Throne. It expressed no commiseration for the sufferings of the people, conveyed no hope of an amelioration of their condition. He was satisfied that there never was an Administration which would be held in such general and deserved dispute as the present Government would be, in consequence of not taking a different view with respect to the situation of all ranks and classes in the country.

Lord *Stanley* must observe, in the first place, that there appeared to be no inconsiderable difference of opinion between the hon. Gentleman who had just sat down, and the hon. Gentleman (Mr. Charles Wood), who was then speaking to him, and the noble Lord (Lord John Russell) who preceded him in the debate. For whilst the hon. Member for Greenock told the House that the Speech from the Throne would be received in every quarter of the kingdom with universal dissatisfaction—that there never was a Speech so objectionable, and that he objected to each and every part of it, the noble Lord and the hon. Gentleman, sitting on the same side of the House, had declared, with great candour and fairness, that with regard to the topics introduced into the Speech, they appeared to them to be judiciously selected, and judiciously handled —that they entertained very little objection to any portion of them (or with very few exceptions), and that, upon the whole, they should disclaim the notion of moving or supporting an amendment. After the sweeping denunciation which the hon. Gentleman had made of all that was in the Speech, and all that was not in the Speech he thought that the hon. Gentleman should have tried his hand at an amendment, either by moving the rejection of some paragraph in the Address to which he objected, or the insertion of some paragraph which he preferred. But the expression of the hon. Gentleman's objection, notwithstanding the general denunciation in which he indulged, was confined to two subjects. The hon. Gentleman objected to the language in which the royal visit to Scotland was spoken of, as if because her Majesty expressed the gratification which she felt at the universal sentiment of loyalty and attachment with which she was received from one part of Scotland to the other—it was, therefore, the intention of Ministers to insinuate that her Majesty had reason to expect, or that her advisers were so ignorant of the general feeling of the people of Scotland towards the Sovereign, as to suppose that she would not be received with every demonstration of affectionate loyalty in that part of her dominions, and consequently that that paragraph in the Speech which was intended as a compliment to the people of Scotland, was in fact a covert insult to their national aud natural feelings of loyalty. That was the hon. Gentleman's first objection. His second assertion was, that no commiseration was expressed for the sufferings of the people, and no expectation held out of the adoption of measures for their relief. The hon. Gentleman must forgive him (Lord Stanley) for saying that no terms could be more emphatic than those in which her Majesty spoke of the sufferings of a large portion of her people as leading to a reduction of the revenue from causes which could not be concealed, and which must be deeply and universally deplored—namely, the inability of a large class of the people, owing to the distress which had so long continued, to obtain the means of providing themselves with the ordinary and necessary articles of consumption. This was a state of things which her Majesty deeply lamented. With regard to the Government holding out immediate relief, he thought that the hon. Gentleman's experience in that House and his own good sense must have shown him that there could be nothing so dangerous as to put into the mouth of the Sovereign exaggerated and vague expectations of relief without pointing out in distinct terms the quarter from which that relief was to come. The noble Lord (Lord John Russell) not having many sources of complaint against the Speech, had selected four subjects, two of which were included in the Speech, and two of which were omitted from it, the two latter being the Income-tax and the Corn-laws. [Lord *John Russell:* The Income-tax is named in the speech.] True; the Income-tax was named—named in the way in which it was proper it should be named—namely, as the source from which the financial deficiency (a deficiency not exactly of the present Government's incurring) might in the course of the current year be made up. He confessed that, after the compliments which the noble Lord at the commencement of his address had paid to the selection and handling of the topics introduced into the Speech from the Throne, it would have been more fair and manly if, following the speech of his right hon. Friend (Sir Robert Peel), the noble Lord had abstained from touching upon topics more particularly of a personal character, and for the full and unfettered discussion of which, ample opportunity would be afforded upon subsequent and more convenient occasions. And if it were not the intention of the noble Lord to condemn the conduct, either of the Governor-general of India, or of the present Government of this country for the policy which they had pursued, he thought it would have been competent to the noble Lord to restrain the anxiety which he appeared to feel to enter upon these topics until the opportunity should arrive (and it had that night been notified) that an opportunity would be afforded (as well by the Government as by an hon. Gentleman opposite), for fully discussing the whole policy of the present and the late Government with respect to the affairs of Affghanistan. The motion, indeed, of which his right hon. Friend (Sir Robert Peel) had given notice, did not enter upon so wide a scope as that of the hon. Gentleman opposite; but it did propose to call upon the House to join in a vote of thanks to those who had been concerned in Affghanistan, for the ability and skill, and the valour and energy which they had displayed in carrying to a successful termination, a war, which at the period at which the present Ministry came into office bore, to say the least of it, a very unpromising aspect. To that point, and to that point alone, the motion of his right hon. Friend (Sir Robert Peel) would go; but he would frankly and fairly admit to the noble Lord that in bringing forward that motion, it was the intention of her Majesty's Government to claim for the Governor-general of India, the praise to which they thought he was fairly and amply entitled, namely, that by his decision, his energy and the wisdom of the ordinances which he had issued, he had mainly contributed to the great success which had crowned the labours of our Indian army. The noble Lord (Lord John Russell) would, therefore, have the opportunity, if he should so think fit, to deny the credit which the Government intended to ascribe to the Governor-general of India. If the noble Lord thought the Governor-general unworthy of the thanks of the British Parliament for the course he had adopted, he hoped that the noble Lord would boldly and distinctly avow the grounds upon which his objections rested, not confining himself to a proclamation made here, or an order issued there, or to any particular separate act of the Governor-general, but looking generally and comprehensively to the whole circumstances of the state of India as it was found by the present Ministry in 1841, and as it now existed in 1843. Looking to the papers, which the noble Lord had expressed a desire to see, and which he should have in the fullest and amplest detail—looking to the position in which the Governor-general found our arms in India—looking to the resources of India, and to the general position of affairs in that part of the empire at the period of the Governor-general's arrival to take up the reins of government; and finally, looking to the triumphant termination of all our difficulties in that quarter of the world—a termination which mainly the ability and skill of the Governor-general, supported by the gallantry and valour of our troops, had contributed to bring about, he said that when the whole subject was fairly put before the House— when the whole question of the conduct of Lord Ellenborough and of the Indian army came to be fully discussed in that House, and fully explained to the country, he could hardly entertain a fear as to what the verdict of the noble Lord himself would be, little fear as to what the verdict of the House would be, and certainly no fear at all as to what the verdict of the country would be. He believed that the universal feeling would be that the thanks of Parliament were due to all the parties who had been concerned in restoring the affairs of India to their present position. But the noble Lord had related particular points of the policy of the Governor-general upon which to found complaints. The noble Lord said, that the Governor-general had issued a document in which he condemned the policy of his predecessor. The Governor-general did issue such a document. The Governor-general thought it incumbent on him—due to the dignity of the country, due to the honour of the Crown, at once and frankly to put forth the points upon which he thought the policy of his predecessor erroneous, and the grounds upon which it was his intention, with the full consent of her Majesty's Ministers, to enforce a different line of policy. And if the noble Lord was desirous of entering into the question in a fuller and more specific form than either of the motions of which notice had been given would enable him to do, the noble Lord knew full well that he might bring forward a resolution of the House condemnatory of the policy which withdrew the British forces within the frontier of the Indus and the Sutledje, and affirmatory of the policy which led to the invasion of Affghanistan. To that issue he asked the noble Lord to come. If the noble Lord were not satisfied with the course which the present Government had pursued, let him come boldly forward and ask for the vindication of his own policy, by the condemnation of that of his successors. But the noble Lord said, "Oh, if you did withdraw, if you were right in withdrawing, surely you should not have left the whole country in a state of anarchy behind you; you should have established upon the throne of Cabul some chieftain who was friendly to you, and who, in the midst of all the discordant elements by which he would be surrounded, might yet afford a security for the maintenance of British influence in the provinces of which you have given him the dominion." This, indeed, had been the policy of the noble Lord, and Schah Soojah was to be welcomed back by the universal voice, and to reign in the affections of the universal people of Cabul; and when, by the force of British arms, he had been placed on the throne of his ancestors, he was thenceforward to reign, not by the power of Great Britain, but by the loyalty and affection of his subjects. That was the policy of the late Government, and how did it succeed? Had it not led to the commission of an act of the basest treachery? Had it not led to tumult, to convulsion, to bloodshed? Had it not led to the establishment of that very anarchy which, if the present Government, acting upon principles of policy which, in their estimation, rendered it incumbent upon them to return within what appeared to be the natural boundary of our empire in India, had left behind them—it was an anarchy for which not they, but their predecessors, were responsible, since it was not they, but their predecessors, who had produced it. The noble Lord referred to reports which he had heard of atrocities committed and of an unnecessary aggravation of the horrors of war. He knew not how far the noble Lord's information was authentic. He, however, did not deny that, upon some occasions, the passions of the soldiery, but he believed still more the passions of the undisciplined multitude which accompanied every Indian army, excited by the scene and by the recollection of the horrors which had been perpetrated upon their countrymen, had led them to exceed the restraint which every Member of the Government would wish to see imposed upon a triumphant army in the hour of its success. But this he knew, that if any atrocities to which the noble Lord referred, had been committed, Lord Ellenborough's desire, his recorded desire was, that whilst the army left mementos behind it of the irresistible power of this country, it should take no step that was inconsistent with the usages of civilised nations, or that should aggravate the natural horrors of war. There was one other point which he would not then touch upon, although the noble Lord had brought it forward, as it appeared to him, in a way most unfairly calculated to prejudice the Governor-general in the estimation of a large portion of the religious community of this country. He would not enter into a discussion of the policy or the motives which induced Lord Ellenborough to bring back into India the gates of Somnauth; but he would venture to say, that in thus restoring to India the memorial of a former conquest, nothing was further—he knew this from Lord Ellenborough's private correspondence; he knew it from Lord Ellenborough's individual declaration—nothing was further from the mind of the Governor-general than to invest the proceeding with anything of a religious character, or anything that could violate the religious scruples of any portion of the community in this country. He knew that the Governor-general had so declared himself, and he believed that, for the course which the Governor-general had pursued, he was not justly open to the sneers of the noble Lord, or the imputation of being insensible to the interests and feelings of Christianity. All that the Governor-general desired to do was to restore to India that which, having been a monument of a former conquest of India, might henceforth become a memorial to India of the strength and power of British arms. He postponed, until the fitting opportunity should occur, the consideration of the question of the general policy pursued by the Government and the Governor-general in India. It was the noble Lord who had drawn him into this reference to the subject, by presenting the House with a portion, and a very small portion of the whole question. His earnest desire only was, that the House and the country should suspend their judgment upon the subject until the whole case on the part of the Government and of the Governor-general should be fully and fairly brought under their consideration. The noble Lord had also adverted to the treaty, which, in the country, had been termed the Ashburton capitulation; and, although the noble Lord did not pretend, upon the whole, to object to the arrangement which had been come to, yet he took the opportunity to hint a fault wherever he thought he could find one in the treaty. The noble Lord said, "Although you have now a very fair treaty, a very good treaty, and one in which I do not think the real interests of Canada are compromised, yet I think that, with a little more firmness, the matters in dispute might have been negotiated much better, and the question settled on a better basis." Then he asked the noble Lord, "Why did not you settle it." If it were so easy to obtain better terms, what were you and your noble Colleague, the late Foreign Secretary, about during the ten years that you were in office. Was it not notorious that the late Government had for a long time been engaged in negotiations with the Government of the United States upon all the questions comprehended in the Ashburton treaty. How was it, then, if the matter were so easy that they had not obtained a better treaty. How was it that, at the moment of leaving office, they left the prospect of coming to an adjustment of the matters in dispute more remote than ever, and the danger of a misunderstanding between the two countries more formidable. The noble Lord objected to that which he thought had been so universally admitted by every human being of every shade of political feeling in this country. The noble Lord objected to the selection of Lord Ashburton, as the negotiator of the treaty. He thought, that if there had been a point upon which it was impossible that an objection could be entertained, if there were a point upon which all human beings would be agreed, it was this, that if we hoped to come to a satisfactory solution of the difficulties which had so long existed between the country and the United States, and if the solution of those difficulties depended in any degree, upon the selection of the Minister, Lord Ashburton was the man, of all others, who, from his long experience, his moderate views, his intimate acquaintance with the country to which he was to proceed—his knowledge on both sides of the disputed line—the moderation, mildness, and judgment which he had always exhibited, would be admitted by all parties to be the fittest plenipotentiary. And what was the objection which the noble Lord now raised? With respect to the treaty, the noble Lord said,

> "It involves the sacrifice of a portion of the Madawaska settlement—good ground should be assigned for the abandonment of that territory. The line of the river was a very plausible and equitable argument in the mouth of Mr. Webster, but when you had taken up the line of the river, why did you not trace it out to its full extent? The river was the natural boundary."

By the terms of the treaty, a river boundary was taken. The noble Lord said,

> "But you do not take the river St. John from its source to its mouth—you pursue only the river to a certain point, then take the line of another river, and strike across to the nearest point of the highlands, which all parties admit to be the proper boundary."

The noble Lord further said,

> "That he could not but think that the pertinacity with which the American minister had insisted upon the adoption of this line was for the sake of some great advantage in a military point of view."

Now, he had never heard any military man say that any advantage, military or not military, could possibly result from the possession of the country lying between the two rivers. He believed that portion of territory to be utterly valueless for the purposes of cultivation, and equally valueless for the purposes of military occupation. The noble Lord had objected to the appointment of Lord Ashburton, because in the year 1838 that noble Lord had expressed an opinion that the connection between this country and the Canadas could not long subsist, and that it was, consequently, in Lord Ashburton's mind a matter of indifference whether a little more or a little less were given on either side, either to the Canadas or to the United States. Now, when had Lord Ashburton expressed the opinion which the noble Lord attributed to him. It was in the year 1838, when a state of feeling prevailed on both sides of the American and Canadian frontier, which did make it very doubtful whether with the free consent and good-will of Canada, it would continue for twenty years longer to be a dependency of the British Empire. And he did not hesitate to say, that greatly as he valued the possession of Canada, important as he thought it to be to this country that she should continue to hold under her control those great and important provinces, yet he freely and frankly avowed that from the day on which this country should cease to hold Canada by the tie of affection and the good-will of the great portion of its inhabitants, from that moment would cease his desire to retain it in the possession of Great Britain. In 1838, Lord Ashburton might well express his doubt of the permanence of the union between the Canadas and this country; and yet in 1842, Lord Ashburton might be, as he believed Lord Ashburton was, the fittest negotiator that could be selected to settle, upon amicable terms, a disputed question with a great and kindred people. He would not follow the noble Lord into the argument into which he had thought proper to enter—namely, as to the position in which he supposed the Corn-law question to be left by her Majesty's Government. The noble Lord had put forward a variety of assumptions upon this subject. First of all the noble Lord had assumed that the Corn-law of last year was not to be amended in the course of the present Session, and next that it was not the intention of her Majesty's Ministers to put the Corn-laws upon such a footing as that so important a subject should not be exposed to agitation. He did not know whether the noble Lord had at length found out a position in which the Corn-law could be placed that would secure it from agitation. Possibly the noble Lord would make it known when the period should arrive in which he and the leaders of the Anti Corn-law League should have an opportunity, in the face of the country, of declaring, in political arena, how far they agreed and how far they differed in opinion upon that momentous question. He should wait with great anxiety the arrival of that period, and should, no doubt, derive great edification in hearing that discussion carried on. The noble Lord had told the House that he did not subscribe to the doctrines put forth by the Anti Corn-law League; he, therefore, concluded, that the noble Lord was not prepared to give his support to the measures which those persons might propose, or to the principles which they might broach. However that might be, he ventured to believe, notwithstanding any differences of opinion that might be entertained by hon. Gentlemen who were intimately connected with agriculture upon the question of the measure of last year, that they would far rather place their confidence in his right hon. Friend (Sir R. Peel) for effecting a safe, satisfactory, and permanent adjustment of all the great interests of this country, than they would confide those interests to the care of the noble Lord, even though he should be prepared to bring forward a scheme by which he hoped to prevent the Corn-laws from being made the subject of future agitation. The noble Lord had referred to the Income-tax, and had stated that, great as had been his objections to that tax last year, subsequent experience had more than realised all the objections he at that period entertained against it. The noble Lord had not thought it necessary to enter into the circumstances which had led to the necessity of imposing that tax, and against which a feeling of dislike was naturally entertained, as was the case with all taxes, and more especially with regard to direct taxes, by those on whom it fell; but before the noble Lord brought forward those specific charges which he dealt out against the Income-tax, it would have been better if he had adduced some more positive authority than that of merely saying—"I was told by somebody this, and I have heard from somebody that." The noble Lord not having stated his authority, he could not tell whether the noble Lord had only heard of a certain commissioner who had made it his practice to have put twenty per cent. surcharge upon every person whose returns had come before him. He did not understand the noble Lord to have vouched his authority for this statement. Was he to understand that the noble Lord spoke from authority, or was it merely one of those stories got up upon a subject which was calculated to excite objections, but which was hardly worth being stated in the House of Commons, more especially by a person of the high station, great talent, and character of the noble Lord. The noble Lord had mentioned the case of a poor widow living at Boulogne, who had been assessed, and who, on making her appeal [No, no; she did not appeal]—who remonstrated then [no, no]—well, who complained of the injustice of having been grievously surcharged on account of her income; and, said the noble Lord, this poor woman was told that she might perhaps obtain relief if she would come over to England, and be subjected to all the buffettings and cross-examinations, and be exposed to all the expenses ot making an appeal to the commissioners. By submitting to all this there was the possible chance (said the noble Lord) of her being successful in her appeal. Now, perhaps, the noble Lord would allow him to refer to the 169th clause of the Income-tax Act, by which it was enacted, that any person living out of Great Britain who wished to obtain redress on any matter relating to that act, might make an affidavit of the facts before the competent authorities where such person resided, and such affidavit might be received by the commissioners. It was, therefore, unfortunate for the argument of the noble Lord, that this poor woman had no occasion to come over to England and expose herself to the buffettings, cross-examinations, and expenses of which the noble Lord had spoken; for all that was necessary for her to do was, to make an affidavit, and send it to the commissioners, who would receive it. He could not answer for the other charges which had been brought forward by the noble Lord, but he would say that by law no injustice could be done to any party, because there was a manifest and easy remedy that might be applied as set forth by the act itself. He believed that he had adverted to all the topics to which the noble Lord had referred as contained in the Speech from the Throne; and he regretted that he had been obliged to follow the noble Lord, because he had hoped that as the House were unanimous in their vote upon the Address, they would have escaped what must necessarily be a partial discussion only of all those topics which the Speech contained. There was, however, one subject with regard to which the noble Lord had expressed his regret at its not having been differently adverted to in the Speech from the Throne. The noble Lord said, he extremely regretted that the disturbances in certain districts of the country were adverted to in the Speech only for the purpose of declaring that it was the intention of her Majesty's Government to repress them by a vigorous exercise of the law. He knew of no such expression being made use of in her Majesty's Speech. On the contrary, there was the expression of satisfaction that the prompt interposition of the ordinary powers of the law was at the time sufficient to suppress those disorders, and that upon the ordinary powers of the law her Majesty confidently relied for the suppression of them in future. But he did not think the noble Lord was right in inferring, or that the noble Lord had a right to infer, that there were no other measures contemplated by her Majesty's Government which should have the effect of removing that which the noble Lord manfully asserted to be the main source of those disorders and disturbances, namely, the ignorance and want of education of large portions of the community. He did not think the noble Lord warranted in drawing such an inference; and he cordially concurred with the noble Lord in attributing a great portion of the disorders and disturbances which had lately taken place in some districts of the country to the want of sufficient means for the religious and moral instruction of the people. This, he believed, hsd been most signally manifested in the case of the late disturbances; for those disturbances were more rife in the districts where the greatest ignorance prevailed, and the disorders were generally suppressed with much greater ease where partial means existed for giving the people religious instruction and a moral education—whether by the clergy of the Established Church, or by the ministers of dissenting religious denominations. [*Hear.*] He did not think he was claiming too much, notwithstanding the cheers of hon. Gentlemen opposite, when he said that the difference of conduct on the part of the people in the disturbed districts arose from the effect produced on their minds through the means of religious instruction and moral education afforded by the ministers of the Church of England as far as their means and power extended, and that their exertions did not fall short of those of the ministers of any other religious denomination. He must thank the House for the patience with which they had listened to him. He had not any notion of entering into a discussion on this occasion. He had hoped that, as they were unanimous in voting an Address to her Majesty, there would not have arisen any difference of opinion even in the way of discussion.

Viscount *Palmerston* thought the expectation just expressed by the noble Lord was somewhat unreasonable, It was unreasonable for a Minister of the Crown to expect on the first day of the Session, after the delivery of a Speech from the Throne, embracing so many topics of foreign and domestic policy as those that were treated of by the present Speech, that he should not only have an unanimous vote, but also that he should escape the expression of a difference of opinion upon the Address in answer to that Speech. He thought the noble Lord ought to have been sufficiently thankful for an unanimous vote to have refrained expressing dissatisfaction at some slight difference of opinion upon some of the topics contained in the Speech. Nor did he think the complaint just that this difference of opinion led to partial discussions of those topics; for how was it possible, in one short night, that a full discussion could be gone into upon even any one of the subjects touched upon in the Speech? Whatever discussion took place on the first night of the Session must of necessity be partial; the matter complained of by the noble Lord was, therefore, an inevitable consequence of the nature of things. But if the complaint of the noble Lord should be considered well founded he thought that the notice which had already been given, and the discussions which would in all probability take place during the present Session, would at all events satisfy the noble Lord; for he considered it highly probable that most of the important topics to which the Speech from the Throne referred, would, when the opportunity arose, undergo full and ample discussion. The right hon. Baronet (Sir R. Peel) had said, with respect to the first topic to which the Speech related, namely, the Ashburton treaty, or, as the noble Lord who had just spoken had more properly—as he (Lord Palmerston) thought—called it the Ashburton capitulation—the right hon. Baronet had said, with respect to that topic, that if any future opportunity for its discussion should be afforded, he should be prepared to go into a full defence and justification of that treaty. Now, undoubtedly, if no other Member should bring that subject under discussion, he could assure the right hon. Baronet that he should afford him that opportunity for which he had expressed himself so anxious. Therefore as the House would have the opportunity of hearing the defence which her Majesty's Government might have to make of their conduct in respect to that treaty, and of the conduct of their negotiator, it would, perhaps, be wrong if he were to follow the noble Lord who had just spoken into the details of that treaty, or into the conduct of its negotiator; but he could not help saying—and he meant no disrespect to Lord Ashburton—he did full justice to the talents of that noble Lord, and to the high character which he had attained, and which he maintained in the opinion of his countrymen; but he must take leave to say, that, from particular circumstances connected with the opinions, habits, and, he might add, connections of that noble Lord, he thought he was the most unfit person that could have been selected for so important a mission; and he further thought, that the result of the negotiation fully bore him out in the opinion which, from the first moment he heard of the noble Lord's appointment, he had expressed. It was not acting fairly by the noble Lord. Entertaining such opinions as he was known to do upon colonial questions, and connected, as he was known to be, with that country, with which adversely he had to maintain the interests of England, the noble Lord was not the person to be selected for an appointment which imposed upon him a duty which he was not likely to perform with credit to himself or with advantage to his country. It was his opinion, therefore, that in this respect her Majesty's Government had made a bad choice. He would not go into details, either with respect to the treaty or the conduct of its negotiator, as both would be better discussed at a future opportunity; but he really never had heard so weak a defence of any measure as that which had been just made by the noble Lord opposite (Lord Stanley). In the first place the noble Lord had misunderstood, and therefore misrepresented the argument of his noble Friend (Lord John Russell), about the boundary line of the St. John's. His noble Friend did not say that in his opinion a river boundary was the best, but that he would assume that it was the best; and that he would take Mr. Webster's argument, who had said that the river Madawaska could be included; and then argued his noble Friend,

"If you admit the argument of Mr. Webster, and take a boundary which would leave the Madawaska settlement to the south of the St. John, why did you not adhere to that argument? Why did you allow Mr. Webster to take a large portion of land on the north of the St. John, not bounded by any river, or by any natural line, but bounded by an arbitrary line not yet fixed, but one that is to terminate in a point to be ascertained by measurement not yet made."

He believed that the end of the line was a point to be found within a certain number of miles from the nearest summit of the hills of a certain range of high lands. So uncertain was the matter thus left, that the two countries might dispute about the ascertainment of that point as long as they had already been disputing about the main question of the boundary; because it was a matter—if the two countries choose to differ—upon which it might be impossible for them to come to any agreement. But in this case there would be no difference, because whatever might be the point, the American commissioner might fix upon, it would no doubt be acquiesced in by the British Government. But, said the noble Lord (Lord Stanley), whatever might be the opinion of Lord Ashburton respecting Canada, and however favourably inclined he might be to the United States, that opinion was no reason why he should agree to an unfavourable boundary.

"Because," said the noble Lord, "if you want to discard these colonies, and make them independent, it is your duty to take care that when they became independent they should have the very best boundary."

He agreed with the noble Lord, and considered that that was the best ground upon which the treaty was to be justified. If they looked to the Canadian provinces, with a view to maintain them as provinces against any assailant, and which his noble Friend (Lord J. Russell) said was the intention of the Government of which he was a Member—it then became of no great moment, as a matter of argument, as to what should be the given frontier or not, because if the provinces should be attacked, England would come in and make good their defence; but if they contemplated, or if Lord Ashburton contemplated, the possibility, or the probability of their becoming independent, it was then ten times more incumbent upon him to carefully see that the boundary was such that would enable them to maintain their independence, and secure themselves against attack. Now he thought that the boundary which had been fixed upon gave the United States the advantage ground, and a salient point of attack against Canada. It placed the United States within a short distance of the river St. Lawrence, and in a manner put the province of Canada in a situation highly injurious, if ever unfortunately the North American provinces should be detached from England, and should be at war with the United States. But he would not press this matter further, except by saying that he thought the treaty and the conditions of it, and the manner in which the negotiations had been conducted, were clear proofs either of a great want of capacity of the Government, or of the negotiator, or of great and culpable indifference to the national interests. He next approached the topic of China. There, undoubtedly, he was ready and willing to concur in the most cordial manner in the congratulations which the Address proposed to convey to her Majesty on the termination of the war. It would, indeed, be strange if he and his former colleagues in office did not share in the joy which had been expressed at the happy termination of that war, seeing that the responsibility of originating that contest rested on their heads; seeing that the officers whose skill had conducted the operations to a successful termination had been chosen and sent out by them; that the general scope of the operations, and the point, which had been very happily designated the true point of attack by the noble Lord who had so distinguished himself by his public documents and proclamations, had been their own suggestion at the very outset of the struggle; that the means by which success had been obtained had been either sent out by the Government of which he had the honour of forming a part, or had been applied by the Governor-general appointed by them, and intrusted more particularly with the superintendence of the operations and with the preparation of the necessary means for the accomplishment of the end in view; and considering that the stipulations of the treaty entered into, as far, at least, as he had been informed, were the identical stipulations, as nearly as possible originally sent out by the late Government as terms to be insisted on with the Chinese Government, he could not do otherwise than concur in the congratulations which it was proposed to present to her Majesty on the happy termination to which this contest had lately been brought. He rejoiced the more, because he could not but remember the taunts with which they were met at the commencement of this war, which was then characterised by hon. Gentlemen opposite as a desperate attempt to enter on a contest with a third of the human race, inhabiting a country situated at the opposite end of the world, the result of which could be no other than disgrace. The noble Lord who had just sat down, (Lord Stanley) had stated last Session that where such a contest would end no man could by possibility foresee. Undoubtedly he could not but rejoice to have an opportunity of expressing his congratulations on such an event; and in so doing he could assure hon. Gentlemen opposite that he gave them all the credit they deserved, for having conducted a war of which they originally disapproved to a termination, with as much vigour as though they had been the parties originally engaged in it. And now with respect to India. He fully concurred in the observations which had been forcibly addressed to the House by his noble Friend. Every man must rejoice that the operations undertaken vindicating the honour of the British arms, and the maintenance of the British empire in Asia, should have been brought to so triumphant a result. There was no one who would refuse to do justice to the men who had directed these operations. But he wished to learn for he had not yet heard, to whom the direction of those operations was to be ascribed. Was their gratitude to be claimed on behalf of the Governor-general, or were they simply called on to express their thanks to the gallant commanders who had personally directed the military operations? Towards the close of last Session he had asked the right hon. Baronet at the head of the Government whether or no Lord Ellenborough had commanded the retreat of the troops from beyond the Indus, as had been reported; and he had told the right hon. Baronet that if he did not give him a clear and explicit answer, he should interpret his reply into an acknowledgment that the charge was true. The answer returned was ambiguous. He was informed that our troops were at Candahar and Jellalabad, and this information was accompanied with the assurance of the right hon. Baronet that, as far as he knew, no retreat from beyond the Indus was likely to take place. Upon that statement he (Lord Palmerston) had taken it for granted that, in fact, Lord Ellenborough had ordered the retreat, because, if not, he felt confident that a contradiction would have been put forth. Lord Ellenborough, then, had not ordered these operations—and, therefore, it would be manifestly unjust to offer him thanks for results which had been brought about in spite of his declarations. They must, however, join with the noble Lord in returning thanks to Providence for having rescued them from the predicament in which they had been placed by his own want of sagacity. He could well conceive the consolation of which this reflection must be the source. He would not weaken the force of his noble Friend's observations, with regard to the proclamation, by making any observation on the subject; they had been a source of astonishment to all, if not a laughing stock. But he thought that, taking into consideration the vast importance of the Indian empire, it was of the highest moment that the important trust of Governor-general should have devolved to other hands than those of a man who had shown himself so little fit to be trusted. With regard to the other topics of the speech, having reference to foreign affairs, he had learned with great satisfaction that the relations between this country and Russia had been placed on an amicable footing, and that a confident hope existed that the two countries would be enabled, by their joint interposition, to terminate the unhappy disputes which had existed between Turkey and Persia. With regard to Syria, he did not think that the peace of the world was in very great danger from the question now agitated amongst the great powers of Europe with respect to that country—namely, whether the Maronites and Druses should be governed by a chieftain taken from this or that body, or whether their governor should be dependant on a pacha or otherwise. They had been told that notwithstanding their boasts respecting the tranquillising of the East, their interference had left nothing but anarchy. Let the condition of Syria at that period, however, be taken into account. At that time the affairs of Syria threatened Europe with convulsion from hour to hour, which was a very different state of things from that in which the question related only to particular arrangements in the municipal government of the Ottoman empire. Quitting foreign policy, and turning to our domestic concerns, he could not help saying, that, in common with others, he shared the hope that some indication would have been given in the Speech as to the intentions of the Government with regard to those matters which had excited so much interest in the country—namely, the arrangement of those laws which related to trade in general, but especially to corn. It would, he was convinced, have been more satisfactory to all if some clear and definite statement had been made by the Government on the subject, instead of contenting themselves with vague generalities. The noble Lord who had just sat down had asserted that the hardships of which complaint had been made respecting the oppressive operation of the Income-tax were occasioned because people would not take the trouble of reading the act itself, and had stated that the lady at Boulogne whose case had been referred to, might have accomplished her end of receiving back the deduction made from her dividend by means of an affidavit sworn at Boulogne. The noble Lord, however, must give him leave to say that this did not meet the objection. He would not pretend to say that the rule of deducting the tax on all dividends alike could be abolished; but there was no disputing the inconvenience of the practice, which appeared inherent in the tax itself. Every one must, within his own experience, be acquainted with instances in which individuals deriving their income, which altogether did not amount to 150*l.* a year, partly from the public funds, often preferred to pay the tax rather than enter upon the probably more expensive proceedings necessary for obtaining the amount deducted. What then became of the boast that all possessing less than a certain income were exempt from the tax. He would reserve till a future opportunity to discuss these matters more in detail, and would content himself with one farther observation on the subject with which he had begun, namely, that relating to America. It was the great boast of those who supported that treaty, that its effect would be the establishment between the two countries of amicable relations, and a good understanding, which could not be shaken. How did the recent proceedings of America, with respect to the Oregon territory, justify this boast? He wished, before he sat down, to ask one question, which perhaps some Member of the Government would have the kindness to answer. It had been stated by M. Guizot that the British Government had intentions of diminishing the number of cruisers employed last year for the suppression of slavery by one half; that, whereas last year this country had employed eighty, it was their intention to reduce the number to thirty-nine, while the French Government was to increase their force to forty vessels. This statement he was inclined to think had been made under a misapprehension. He entertained doubts as to whether the number employed last year amounted to eighty, and he felt confident, moreover, that whatever might have been the number employed then, the British Government would never have entertained intentions of reducing it by one half. He thought also that the restriction as to quitting the appointed stations could not be complied with consistently with a faithful discharge of duty on the part of the officers employed. He wished to hear, at the same time, an answer to the question put by his noble Friend, as to whether orders had been given to our cruisers with regard to vessels sailing under foreign flags, under suspicious circumstances, with a view to ascertaining their nationality.

Sir *R. Peel:* I presume I must answer the questions put to me by the noble Lord. I regret that I have not an opportunity of entering into more detail. I did not rise until I thought the debate was about to be brought to a close. It is because I cannot infringe the orders of the House, that I do not now vindicate my noble Friend the Governor-general from what I may venture to call the aspersions cast upon him. I must limit myself to answering the question put to me by the noble Lord. I apprehend that there is no foundation for saying that the British Government has contracted to reduce the number of cruisers on the coast of Africa, or is about to reduce the number. The statement to which the noble Lord refers was that, whereas we had eighty cruisers on the coast of Africa last year, we now intend to reduce them to only half. That, I believe, is an error: eighty warrants were granted, and hence it seems to have been assumed that eighty ships were employed. I am informed that last year we had fifty cruisers, and that this year we have forty-nine cruisers. I speak from memory only, but I think I am right.

Then with respect to the treaties, it has been said, that some articles of the treaties of 1831 and 1833 have not been observed by either party, but that is a very different matter to the abandonment of the policy of those treaties. The fair execution of the treaties is certainly what France has a right to require, and the right of search within particular latitudes has been carried into effect in compliance with the strict letter of the treaties. As to the orders given, I am not aware that there has been any alteration: there have been complaints as to the manner of executing the orders, and this country has declared its intention to execute them in a way consistent with the rights of other countries. Those orders are now under revision, by parties, as the noble Lord admits, most competent to the duty, but what I have already said will be sufficient to show that it is not the intention of the Government of this country, by any modification of the orders, to change their substantial effect. This is all that the forms of the House will allow me to say upon the present occasion.

Sir *R. Inglis* observed, that his noble Friend (Lord Stanley) had deprecated the premature discussion of the policy of the Governor-general of India: but, notwithstanding this implied rebuke to those who introduced matters affecting personal character, he thought that he should not discharge his duty if he suffered the debate to close without showing that one Member on the Ministerial side of the House (he hoped many would concur with him) censured the character of at least one of the proclamations of the Governor-general. For four days he had indulged the hope that it was not genuine; and, although something had been said about the smiles and laughter with which it had been received, he apprehended that it would excite a very different feeling in a Christian people. He was persuaded, that it was a proclamation which no Mahometan Governor-general would have issued. He begged to repeat his conviction that no Mahometan Governor-general would have paid such respect to Indian idolatry, or such disrespect to his own true faith. He did not mean to pre-judge the general question of the Indian administration of Lord Ellenborough; but he had heard it said, on a former occasion, by a secretary to the India Board, that it was not fit to separate the responsibility of the Government at home, and of the Governor-general, with reference to the wars in Affghanistan and China, and he agreed in this sentiment. The noble Lord had, however, himself prejudged the subject, when he talked of the basest treachery of the puppet, whom the former Government had set up. Without going into the question now, he trusted that the noble Secretary would perform his promise of laying before the House all the necessary documents, and would not withhold either of the two proclamations to which reference had been made. With one of them he did not now mean to meddle, though he thought he could answer his noble Friend, even with regard to that; but with regard to the other, if there were that identity of responsibility, which had been talked of in the instance of Lord Glenelg, the present Government, he apprehended, would have some difficulty in justifying it. At present, he limited himself to that proclamation, and he hoped it would be laid upon the Table, accompanied by all the documents necessary to explain it. It had been considered by the great body of this Christian people, a most unhappy exhibition of the talents for Government of the noble Lord at the head of affairs in India. He would do that noble Lord the justice to say, that he was about the last man from whom he should have expected such a document, and, as he had said, for some time he hoped that some mystification had taken place on the subject. He recollected, that not three weeks before a proclamation, or rather, not a proclamation in the technical sense of the word, but an address had been promulgated by the same noble Lord which deserved the highest praise: it called upon all the clergy to join with their congregations in prayer and thanksgiving for the temporal benefits arising from and for the successes which had attended our arms in Affghanistan and China. The nature of that address had led him to believe that the same mind which had dictated the one could not have been guilty of the other. He felt, that such blessings as had attended the result of the wars in Affghanistan and China could hardly have been expected; but they had been received, and we could not be too thankful to God and to his good Providence. His noble Friend (Lord Stanley) had expressed his hope that the good taste of some parts of the proclamation would not be discussed; but he hoped that no man would, in any way, identify himself with the spirit of one of those documents. That was not a question of taste, but a much more important matter, and the House ought to come to a distinct declaration upon it, that the man who had issued it, ought not to possess the confidence of the country. He begged to ask, whether Lord Ellenborough governed Hindoos only. Did he not govern Mahometans also? Could the Mahometans look with satisfaction at the evidence, now made historical, that a former conquest on their part had been reversed. Lord Ellenborough had made it a religious question, it was not a trophy of victory, but he called upon all the princes to receive what was brought as a triumph of their religion, and he told them that wrongs of 800 years' standing were now redressed. Within the next fortnight, the whole subject of the occupation of Affghanistan, and the policy of the war, would be brought before the House; upon that topic he would not presume to enter, but whether that policy was right or wrong, he apprehended that both sides could entertain but one opinion upon the proclamation to which he had adverted. He had not been the first to refer to it, but had no other Member mentioned it, he should have considered it his duty to speak of it, and to express the strong objections he entertained to it.

Mr. *Villiers* said, that he would not detain the House, for he observed its patience was exhausted; and if it was not, he could hardly claim it, for he was not going to talk of foreign policy, or of sandal-wood gates, or of other topics which had engaged their attention that night; but having heard something of the suffering, and much of the opinions of large portions of the people at home, he could not suffer the debate to close without expressing his surprise, which on their part, would be a stronger feeling, at the Speech from the Throne, and the explanation given of it by the right hon. Baronet. He could hardly believe that persons who did not wish to offend the feelings or disregard the sufferings of the people, could take so peculiar a view of both as he concluded was done by the Government, for them to have so commenced the session. His own impression was, that the sacrifice of property and the suffering of the people had been gradually increasing, continued to increase, and that no prospect of improvement whatever was offered. He believed that the people had studied and had now satisfied themselves of the causes and the remedies for the evil, and that they were calling loudly for redress. The Government could only suppose that they were not suffering, that trade was reviving, and that no remedy was needed. The Speech seemed to treat with studied indifference the whole condition, the feelings, and opinions of the people; it would have this advantage, however, if the people were really in the state he believed them, namely, becoming hourly, in greater numbers, more destitute —that it would manifest their sense of this mode of being treated. On the contrary, if they were, as the Government supposed, improving, they would admit the truth, no doubt, and be satisfied. He still believed that the proceedings of this evening would be deemed cold-blooded and heartless, and an opinion would be expressed to that effect throughout the kingdom. He had listened to discover if a ray of hope had been elicited from anything that the right hon. Baronet had said—he had listened in vain. Even on the point where it was expected, namely, in the passage that referred to measures affecting domestic policy said to be intended to be brought under consideration, he did not interpret them as having reference to any extension of the trade. Did the hon. Baronet doubt that the opinion for the change of the Corn-laws hourly increased? Can he doubt that the opinion which he expressed last year in favour of free trade, and declaring the wisdom of nations acting upon the rule observed in private dealing of buying in the cheapest and selling in the dearest markets, greatly heightened the feeling against such a restriction on trade as the Corn-law. The noble Lord (Lord Stanley) asked what would satisfy the League, and seemed to think it an excuse for not dealing with the law that they could not be satisfied. He would tell them that he believed that nothing would satisfy them but an entire repeal of the law, and it was his deliberate belief that that opinion was gaining ground every hour, and that ultimately, if not speedily, the League would succeed: if anything would give it an impetus it would be what had passed this evening. Gentlemen might laugh, they had a right to their opinion, and so had he to his. They seemed to think that the people were not suffering and ought not to be relieved; he thought their sufferings were great, and that they would soon insist on the remedy. There were signs in every village, town, and hamlet in the country, of the progress it was making. That gentleman (Mr. Ferrand) might laugh; he had better bring proof to the contrary if he could. Did he see nothing in what had lately happened in the north. The hon. Member's old Friend, the Member for Stockport, who was said to hold extreme opinions on this subject, had been invited to Scotland, has had municipal honours conferred on him in all the great towns and cities of that country. What, did they think that they scattered their honours about indiscriminately, not heeding to whom they gave them? Why, if he was not mistaken, there were persons who had not been so fortunate in obtaining the similar honour. He knew that hon. Gentlemen felt it was a most striking and instructive fact as to the advance the question had made, and he asked them coolly to consider what would be the effect of this Speech, this utter contempt for their opinion and interest, which it really manifested. Would they be reconciled to nothing being done by stale sentimentality about their suffering and patient endurance. Why he was astonished to hear the same old fallacy and stuff brought out again this night that had really been exploded before the end of the last Session; they had the old proof that there was not much suffering, as the savings'-banks were flourishing; why it had been shown over and over again that that proved nothing as to the state of the working population, for the deposits were very often made by domestic servants, and others, not poor people, and then the hon. Baronet again told them that protection was the rule in this country, and reasoned as if it was therefore to be upheld. Why he must repeat what he had said so often, that protection was the rule as far as some classes were concerned; but that for protection to be vindicated it must be universal, and that they had no right to protect the proprietary classes without also protecting the working classes! and that it was notorious, that as protection must be at the expense of somebody, it could not be universal. The land was protected but not the labour; and he contended that the people had now seen through that, and that all the talk about Christianity and a desire to convert the Chinese from Paganism to the faith of this country would fall very flat upon those who saw such a practical illustration of anti-christian spirit and feeling as the tax on the people's food, whereby the employment of their industry was prevented, and all for the sake of adding to their own fortunes. Yes, that was the effect of the Corn-law, and one of its consequences is now admitted by the head of a college at Oxford, for he says that there are nearly 10,000,000 of people who are unable to eat wheaten bread. [Mr. *Ferrand:* Oh!] Why he is one of your own friends, and stated it in the presence of the Member for Buckingham, now present. With such a fact before the world then, 10,000,000 of people wanting better food, better food in abundance to be had, and the legislature, for sinister purposes, standing between them and the food, knowing well that if this law was repealed, there would instantly be more work, more employment, less misery, destitution, and crime, with which the country now abounded; if they wanted to satisfy the people and reconcile them to their lot, and make them satisfied with the promise to do nothing, these facts must be disproved, for as long as they existed, their Christianity and their professed inability to give relief would be doubted. This night, as regarded legislative remedy, seemed at present to leave the people without hope, it would, render, however, the amplest discussion as to their whole condition the more necessary.

Viscount *Howick* concurred in the opinion that much disappointment would be occasioned by the Speech from the Throne, and by the commentary of the right hon. Baronet upon it. He for one had not been sanguine as to the intentions of Government, but there was no Gentleman who knew how long, and to what a degree distress had prevailed, not only in the manufacturing, but in the agricultural districts, who would not say that the time was now come when, discarding all party considerations, it was the duty of the administration to look the difficulties fully and fairly in the face, with the view of adopting some measures for the removal of them. In a natural state of things such distress could not continue, at all events after a harvest which the right hon.

Baronet had said was particularly favourable, and which, it must be admitted, was an average harvest. This fact showed that there must be something faulty in the organization of society—something which ought to be corrected for the relief of the suffering people. When he first heard the Speech from the Throne he had formed the intention of giving an early notice, in order that the House might have an opportunity of considering whether the prevailing distress must be allowed to continue, or whether any means could be found of putting an end to it; whether it could be safely longer neglected, and left to the operation of time and circumstances, or whether an attempt should be made to relieve it. It had been his intention to give such a notice; but another Member had put one upon the books in general terms, and he was ready to wait in order to see how far it might fall in with his views. If it did not, he should on some future day bring the subject to a distinct and substantive vote. With regard to other topics in the Speech from the Throne, adverting to foreign policy, he expressed his entire concurrence in what had fallen from the hon. Member for Halifax, and he would only add with regard to India that the noble Lord opposite (Lord Stanley) had attacked without adequate reason, the conduct of his noble Friend (Lord John Russell), in animadverting upon some parts of the conduct of the Governor-general. The value of a vote like that to be proposed by the right hon. Baronet was much enhanced by its unanimity, and it was absolutely necessary that information and explanation should be given before the House could be expected to concur in such a resolution. He concurred with the hon. Baronet (Sir R. Inglis), that in the first place the proclamations should be laid upon the Table, and next the despatches which had been sent out by Ministers, or by the East India Company, for the House had a right to know the views taken on the subject on this side of the water. As to the proclamation regarding the sandal-wood gates, it was difficult to conceive how any explanation could be offered which would remove the strong objections to it. Exception might also be fairly taken to the other proclamation, and here he wished to notice a mistake into which the noble Lord (Lord Stanley) had fallen, in speaking of what had been stated by his noble Friend (Lord J. Russell). The noble Lord had asked who was the cause of the existing anarchy in Affghanistan, but those whose policy had created the war? But his noble Friend (Lord John Russell) had not complained of the anarchy, but that the proclamation was wilfully calculated to promote and perpetuate it. Another point which must be cleared up before the House could agree unanimously to a vote of thanks, related to the excesses committed. The noble Lord, consistently with the humanity and generosity of his nature, had expressed himself in becoming terms upon that subject, but it remained to be seen, and a most serious question it was, how far the commanders of the troops had exerted themselves to repress the excesses of the troops, or of the camp-followers. What countenance or discountenance had been given to those outrages by persons in authority, and particularly whether any and what orders had been issued for the destruction of the bazaar at Cabool? Was it a gratuitous and wanton act, or was it warranted by superior orders, and how far was the Governor-general implicated in this and other transactions? If some satisfactory explanation were not furnished upon these points, a deeper stain would be cast upon the British arms and character than by any disasters however great and lamentable. Besides plausible speeches, therefore, much documentary evidence would be necessary, and he earnestly hoped for the sake of all parties that the whole matter might be satisfactorily explained. No man would be more ready than he was to pay every just tribute to the gallantry of our troops, when once it was established that their weapons had not been stained by the needless effusion of human blood.

Mr. *Hume* would not have spoken, had not some of the sentiments of his hon. Friend (Mr. Villiers) been received by the other side of the House in a manner so extraordinary. Before he went further, he would, however, discharge the pleasing duty of expressing his satisfaction at the conclusion of our differences with America. Upon this point he differed from the noble Lord (Lord John Russell), because he believed that the treaty would have the effect of placing two countries, which never should have been estranged, upon the most amicable footing. He admitted that he was one of those who had expressed objection to the appointment of Lord Ashburton. The public prints had stated grounds of objection, and he participated in them, but he was bound to say that, from the manner in which the noble Lord had conducted the negotiations he had brought to a successful termination, he (Mr. Hume) had changed his opinions. The noble Lord had shown the greatest temper, judgment, and desire for conciliation, and, he must say, that there had been the same desire on the part of Mr. Webster. They had restored that good understanding which ought to exist between England and America. It was true that another difficulty had since arisen, but surely we were in a better condition to settle that difference, than if the other had not been disposed of? To that extent he could express his approbation of Lord Ashburton's conduct. He only regretted that he had not heard, either in the Speech from the Throne, or from the right hon. Baronet, of any measure to increase the good understanding with America in a commercial way, to bring America within the range of our manufactures, and thus make the two countries mutually assist each other. He said for one, that relief to England and America must come from the renewal of commercial transactions, and from a good understanding existing between both. Therefore it was, that he expressed his regret at finding no hope held out by the right hon. Baronet. He also said, that the settlement of the China and Affghan wars was extremely fortunate for this country. He cared not by whose orders the treaty with China was settled. Of the war, a year ago, no man in that House would say what were the prospects; but looking at the drafts made on our finances, and the necessity it imposed of additional taxation, he must say that the treaty of peace was favourable in every point of view. He would not enter into the consideration whether the twenty millions of dollars would pay the expense of the war, because if it had continued for two or three years more, we should have had to provide a much larger sum. He hoped the peace would be permanent, and that Government would take good care that those who were sent out as commercial residents to manage affairs there would not allow them to be mismanaged as they formerly were. Much would depend upon the prudence of the commercial residents, and he was perfectly satisfied that we should not derive all the benefits to which we were entitled from the Chinese treaty, unless the Government saw that the commercial arrangements were properly attended to. No proceedings of the British army had done more credit to the parties engaged than those which had taken place in China; but let the right hon. Baronet bear in mind that our overpowering success ought not to permit us to insult the nation which now crouched to our power. He hailed the peace with China as one likely to produce great benefits to us. He was sorry to hear any allusion to the spreading of Christianity in that country, because if the Chinese were to judge of the principles of our religion from our practice in China, they would not be very ready to receive it. He was not one that discredited the Affghan war, but he could not say that the conduct of affairs there reflected any credit upon us. He rejoiced at the policy which had withdrawn our troops, but in the withdrawal they had left indelible marks of our character in India which would last as long as many who then heard him lived. Having redeemed our military character, which was of much more importance than many supposed, we ought to have retired with magnanimity, and as we could not find the authors of the treachery, we ought to have left without revenging ourselves upon the innocent population. As for the destruction of Cabul, it was an act so barbarous, that he could not find anything like it even in the conduct of the Goths. He was afraid that they would not get at who were the authors of the destruction. At any rate, when they were asked for a vote of thanks, the House ought to be furnished with such information as should leave no doubt as to who were the authors of these evils. He feared that those to whom he would be anxious to pay a bright meed of praise, had been led into a mistake for which he could scarcely assign a reason. He hoped that no doubt would remain as to the authors of it, and that the Government would afford every information to enable the House to form a correct judgment. So much as to foreign affairs, the aspect of which would place the right hon. Baronet in a situation to make a great reduction in the expenses which were so heavy a burthen to the country. Although they had not heard one word from the mover or the seconder of the Address as to the causes of this distress, he would tell them that it arose from excessive taxation, in addition to impolitic prohibition on trade and commerce. These were the causes which pressed down the best interests of the country. 52,000,000*l.* were exacted from the people of this country in the year 1842. There had been an addition of 2,000,000*l.* more this year, raising the whole expenditure to 56,000,000*l.*, but let him tell the right hon. Baronet that 52,000,000*l.* in the year 1842 was a greater burthen on the resources of this country than 75,000,000*l.* would have been seven years before. The manufacturers now made less profits, trade was less, every income was reduced to one-half, and the population was unemployed. Heretofore the land had paid nothing to the exigencies of the country; it had taken more from the commercial resources of the country, much more than it had returned. He looked, however, upon the trade and manufactures of this country as the sources of our wealth. It was owing to the effects of the extension of our manufactures that during the protracted struggle of the French war that this country was enabled to maintain the pre-eminent situation in Europe. Were not the manufacturers now in a state of bankruptcy, from one end of the country to the other? Was commerce flourishing? Let the right hon. Baronet ask the merchants of London, of Liverpool, or of Hull. Were not their docks full of ships unemployed? Many manufacturers were forced to carry on their works without any profit, or rather to suffer a loss than to allow them to stand still. What was the return for goods sent abroad? Let any merchant point out to him any articles they could purchase abroad which would pay the expenses and cost there except food, which was prohibited. The right hon. Baronet was not doing what he had promised, he had promised additional employment for the people, but he now told them "You must rest satisfied, I will not be a party to giving you a tariff every year, you got a tariff last year, there I intend to stop." With regard to corn the right hon. Baronet said not one word, although he knew that there was no subject which occupied the attention of the British public more than the discussion of the Corn-laws. The right hon. Baronet admitted that there was irregularity and uncertainty in the old laws, did his measure of the last Session, correct either the irregularity or the uncertainty? He told the right hon. Gentleman that the sliding-scale prevented what alone would benefit England, for there never would be prosperity here, till there was a trade in corn. If we had a trade in food, even if it had been subjected to a small duty, we should now be in a state of comparative prosperity. What had been done was only a step towards free trade. He did not care so much for what was commonly called free trade; if a duty of 2*s.* had been proposed and had been carried, it would have prevented much of the present evil. Her Majesty was made to say in her Speech:—

> "Her Majesty regrets the diminished receipts from some of the ordinary sources of revenue. He Majesty fears that it must be in part attributed to the reduced consumption of many articles, caused by that depression of the manufacturing industry of the country which has so long prevailed, and which her Majesty has so deeply lamented."

He asked the right hon. Baronet what measures he proposed to remove that depression? The right hon. Baronet said that he had no measure. He did not propose to remove that protection which he considered part of the custom of England. But hon. Members should know that protection meant robbery; protection to one part was robbery of another; he therefore who was a supporter of protection was a supporter of robbery. It might be a different question if all could be protected. Why should not the labour of the poor man, which was his only capital, be protected as well as the capital of the greater. His hon. Friend (Mr. Villiers) had asked the question and had received no reply. He could not look upon the capital of the poor man as his industry and labour; he looked upon the capital of the merchant as his property, acquired in any manner and honestly come by, and so with respect to landed property. After the declaration of the right hon. Gentleman last year, was it not too much to see him that night prepared to do nothing? And this at a time when distress was increasing. Every instance of distress since he had been in public life arose from speculation, generally caused by the state of the currency. Excitement was produced by over-trading, and that caused distress, which led to a reduction of the bullion in the Bank of England to two or three millions. In the coffers of the Bank now there were twelve millions of bullion, which they were anxious to get rid of. Why was this? It arose from a circumstance unknown in the history of England, at least in his time. It was because the merchant could not send abroad and receive the staple articles of other countries; they must say, " Send us no coffee, send us no sugar, send us no wine; let us have none of the produce of any other country—gold is the only thing which we can realise." This was why the coffers of the Bank were full. Let the right hon. Baronet only follow out the consequences which must arise from this state of things. Let him ask the ablest merchants in London, " What way can you get rid of this gold;" and they would tell him that commerce was so completely at a stand that they had no means of carrying on a single exchange. The right hon. Baronet might say, " This is not my fault," he said that it was. Some hon. Gentlemen said, " we will remove our protection when other countries remove theirs." Why did we not set them an example. Let hon. Gentlemen who talked of six hostile tariffs recollect that, till the right hon. Baronet altered our own, it was worse than any, except the tariffs of Russia and Spain. Let them take Belgium, France (bad as it was), the German States, Sweden, and Denmark—they were all better than ours. Austria would shame us. From the 1st of January, Austria had set us the example, by the reduction of the duties in her tariff. Sardinia, a country which was looked upon as scarcely worth notice, from the 1st January had adopted a highly creditable tariff, which reduced the duties one half. Our own commerce and manufactures had been long in a reduced state. The right hon. Baronet said, that he regretted it. Then what would he do to remedy it? He stated last year that it was his intention to give employment to the people. What single step had he taken to carry out his promise? He would give no relief to trade. No alteration in the Corn-laws would he allow. He was one that did not think that all the required good would be achieved by a free trade in corn. The only good it would effect would be that it would put the whole world upon one footing. The foreign manufacturer would have to pay the same amount for wages as would be paid in Lancashire. The wages of the English artizan would not be worked down to the level of those on the continent. The right hon. Gentleman, by his conduct, was sacrificing the character he had acquired as a Liberal Minister. He brought forward nothing. He, indeed, had been foolish enough to expect something. Many of his friends had told him, " You are depending upon a broken reed." Still he had said, " A Minister has adopted these principles; it is impossible he can stultify himself; I am convinced that upon these principles alone England has flourished and will flourish, and I will support him." The right hon. Baronet had not proposed anything. Let the House bear in mind that when Lord John Russell said he could not carry those measures which he thought necessary, the right hon. Baronet had told him, " if you could not carry the measures which you thought necessary for the interests of the country, you ought to have resigned." Might he not retort upon the right hon. Baronet, " If you cannot carry out your principles, why do you not resign?" He would like to see any Gentleman on that (the Ministerial) side of the House who would take his place. The people were dying by hundreds from disease arising from want. The right hon. Baronet must be satisfied that this arose from the Corn-laws; and if there was any one thing more essential than another for the right hon. Baronet to look to, it was the state of the country brought on by these laws—which made starvation, disease, and death very general. He believed that the right hon. Baronet knew this, and therefore he appealed to him. If the merchants allowed this to go on they ought to suffer—if the shipping interests did not come forward to remove these restrictions, let them not say that the merchants belonging to the Anti-Corn-law League took up their own part. For himself he thought that the right hon. Baronet could not do better for the country gentlemen themselves than to undertake the introduction of a new tariff, which would enable the merchants to employ their capital. He looked with dread to the reaction on the landed interest. He saw the poor-rates increasing. He saw continued low prices and so they would remain till the ports were open. Then the price of food would be equal in London, Paris, Belgium, and throughout the whole world, and then our merchants would reap the benefit of their superior energy and capital. If the right hon. Baronet went on as he now proposed, he would have to increase the Income-tax to 10 per cent., and unless he adopted the doctrine of repudiation, there seemed no hope of relief, should he refuse an extension of trade. If he fell back upon the land, what could that give him? Prices were low, and rents were falling. First, there were the Poor-laws; secondly, the clergy must be paid; thirdly, there was the Income-tax; and, fourthly, there were the mortgages. What could come from the land after that? If they opened trade, however, they would give scope to capital, and give employment to our merchants; and, as far as his life could go, he would pledge himself to the results. The adoption of an open trade was what he would recommend: it would ameliorate the condition of the people, and stop immorality greater than that complained of by the right hon. Gentleman. He had quarrelled with the noble Lord the Member for London (Lord John Russell) when he declared for finality in regard to Reform, and here was finality with regard to free trade: the announcement would be attended with great disappointment in the country; and if the people bore what it must entail, they would have much more resignation and patience than he supposed.

Mr. *Ferrand* said, he had not intended to take part in that night's debate, but the hon. Gentleman who had just sat down had chosen to throw out a sly insinuation, which was intended to go to the large meetings in the north of England, that he would not accept his challenge to meet him upon his favorite topic of free trade; but, if the hon. Gentleman would give notice of the subject, he would be prepared to meet him: he would join issue with him upon that ground, they would fight the battle upon the floor of that House, and refer the decision to the country as the umpire between them. They might make a stalking-horse of free-trade, and hold out a pretence to the poor man that the nostrum of free-trade was a sure remedy for his sufferings; but he would tell them that there could be no protection secured for the poor unless machinery was taxed. Machinery deprived the poor man of his daily bread. It was pronounced of him that he should earn his means of subsistence by the sweat of his brow. [*Cheers.*] The hon. Member for Wolverhampton cheered; but he benefitted by this oppression upon the poor; he represented the town where that machinery was made; but what was the condition of the agricultural districts? They cheered on the right hon. Baronet last Session of Parliament in his pursuit of free-trade. They talked of the benefit his measures were to confer upon the country? Had they conferred any benefit? What benefit had the country derived from them? He regretted to say that the right hon. Baronet had been led away by their cheering smiles until now not only the manufacturing districts were in a state of ruin, but the agricultural districts also. What sort of disposition had the hon. Member for Wolverhampton evinced to meet his opponents on a fair field of argument? Had he not degraded his assemblies with tickets? Were not the majorities of those assemblies made up of women? Were they judges upon intricate questions of commercial policy? They came to those meetings excited by the outflowings of the hon. Member for Wolverhampton, and undertook to discuss the hon. Gentleman's proposals to his satisfaction. But what had occurred in London a short time since? There, at one of the hon. Member's meetings, two or three men stood forward to discuss the question of free-trade in corn. They were poor labouring men who dared to differ from an hon. Member of the House of Commons; they undertook to prove that the Corn-laws had never injured them, but that they were crushed by the tyranny and starved by the avarice of their masters. The hon. Member durst not meet them. [*Laughter.*] They might laugh, but durst not meet him. He challenged them to meet him and discuss that question at any large meeting in either of the public towns in Yorkshire or Lancashire. Had not the measures of the last Session reduced the prices of things at home, and did relief follow upon their low prices? Why, had not meat sunk from 7*d.* to 4*d.*, 3½*d.* and even to 3*d.* in the north of England? Oatmeal had fallen in proportion. Potatoes had declined from 8*s.* 6*d.* to 3*s.* a load. But what was the condition to which they had reduced their manufacturing workmen—they who professed such great anxiety for the working classes? They knew full well that it was not free-trade in corn their workmen wanted. They wanted only better wages and a more honest remuneration for their services. They saw men around them—manufacturers who had risen to wealth from a condition not more elevated than their own—they saw those men possessed of exorbitant wealth, and fine estates, revelling in every luxury the world could afford, whilst they themselves, who were naturally entitled to rise out of their humble condition by the industry of their lives, found themselves starved by the avarice of their employers. He should like to know what the Anti Corn-law League had done towards the relief of the poor. Had they contributed one sixpence to their distress last year? Had they contributed one sixpence to the Queen's letter? He believed not. The truth was, they gloried in the misery of the masses, for they made use of that misery in carrying out their own selfish purposes. Where were the masses now? Down in the dust. The master manufacturers had exacted out of their scanty earnings the means of defraying that Income-tax of which they yet complained. It was a tax which every true Englishman should be proud to contribute towards the necessities of the state. They were the truly loyal subjects of Her Majesty, who, seeing the country in distress, came cheerfully to its relief. That was the true Englishman, who, impressed with the emergencies of the State, rallied round his country, and took its burdens upon his own back. But the master manufacturers cast the burdens upon the shoulders of the poor, and complained of being oppressed themselves. Why, since the last Session of Parliament he was riding about the country in Derbyshire, and came to the Belper Union. He entered the workhouse, and was shocked to behold the proportion of the working classes that were confined there. He addressed several—"What are you by trade?" The answer was, "A manufacturer." "What brings you here?"—"My wages are reduced to that extent, that I am unable to support existence without parish relief." Oh! it was heart-rending to see the condition and hear the replies of those poor men, while the men who in former times had raised their fortunes upon the wasting labour and exhausted faculties of these men, were enjoying the fruits of their industry. He rode on and asked, "Whose fine property is this on this side of the hill?"—"Mr. So-and-so's."—"Whose on the other side?" A similar reply. All was the property of the rich master manufacturer. There he saw advertised, "Spikes to spike dogs;" Traps for vermin;" "Trespassers punished;" while not a tree that grew in the fence-row but what was surrounded by a high wall. But the poor man had no protection from the avarice of his master. The small manufacturers are ruined by their more extensive competitors, and the labourer is reduced to the workhouse. As he had said he had not intended to take part in this debate, but the sly remark of the hon. member for Montrose had called him up. Let hon. Members opposite be assured, they were not so popular as they imagined, nor would those opinions bear discussion which required the protection of admission tickets to their political assemblies.

Mr. *Ewart* did not know what the hon. Gentleman so mysteriously alluded to, as a mine about to be sprung for the destruction of the Anti-Corn-law League, if he did not mean some such anathemas as were hurled by Mr. Pitt against the Corresponding Societies in 1799. The hon. Gentleman did not surely mean to condemn all the manufacturers in his sweeping denunciations.—[Mr. Ferrand: "Certainly not all."]—Then why were the hon. Gentleman's charges so general, and his meaning so particular. We all deplored the misery of the working people, but it was wonderful that want of employment never struck the hon. Gentleman as a cause of that distress with which he so strongly sympathised. He must confess he heard Her Majesty's Speech with great disappointment, because it showed that however the right hon. Baronet (Sir R. Peel) had the will, he had not the power to give effect to his free-trade principles. Above all, there was no hope given that the food of the people would be freed from taxation; and the agitation thus passed over, was diffusing itself throughout every part of the community. The very circumstance which the hon. Gentleman alluded to of women so frequently attending those meetings, showed that this was becoming not only a political, but a social question. The right hon. Baronet held out no hope of any change as to corn and provisions. There was, however, something like an assurance, that by means of commercial treaties, we should have an opportunity of exchanging our manufactures for the products of other countries. But even this was a move in favour of free-trade. He did not see the treaty with Brazil, which consumed five millions of our manufactures, and the greatest proportion not yarns, but calicoes, and, therefore, in the most prepared state, and employing the greatest amount of labour, was likely to be brought to a very successful issue. Then, as to China, even if the five ports alluded to were opened, the vent for our manufactures would not be so great as if we were to reduce the duty on tea from 2*s.* 1*d.* to 1*s.* Let them look to the union workhouses, and to those colonies in which tea was not taxed, and they must see the consumption was capable of being incalculably extended. Not only should the duty on tea be reduced, but that on foreign sugar should undergo a considerable change. The island of Java opened, also, a considerable outlet for our manufactures. In Ceylon, too, in the article of cinnamon, the inhabitants found it impossible to contend with the Dutch colonies. He trusted, too, that a treaty would be concluded with Austria, where 35,000,000 were unable to manufacture for themselves, and ready to take ours. But how could so beneficial a trade be opened, unless they altered the Corn-laws? It was impossible to go any way in free-trade principles without finding this momentous question cross your path. He believed experience would prove that commercial advantages were not so much to be secured by treaties, as by acting on the principles of Messrs. M'Gregor and Hume, " of buying in the cheapest market and selling in the dearest." He thought great reductions should take place in the Customs and Excise, and that a more direct system of taxation should be adopted than any which had hitherto prevailed. He concluded by repeating, that the country must be disappointed at finding no hope of a remedy for distress which had been so long and patiently borne.

Mr. *T. M. Gibson:* I hope I shall be indulged with the attention of the House for a few moments, while I reply to the remarks of the hon. Member for Knaresborough. I can assure the hon. Gentleman, that though he may fancy he does great injury to the cause of the repeal of the Corn-laws, his speeches are considered in Manchester to be best calculated for effecting the object of the League—the total repeal of the Corn-laws [" Hear" *and laughter*]. If the hon. Gentleman will go to Manchester I will ensure him a good hearing. Nay, more, I will accept his challenge to argue this question before a large assemblage, not only of manufacturers but of working men. [Mr. *Ferrand:* In public?] Certainly in public, if you choose it; and I very much doubt whether the hon. Gentleman's eloquence or his facts will persuade the audience that they have an interest in laws for making food scarce. [Hear, hear.] I wonder, too, that he or his friends have not called a public meeting in favour of those laws, which he contends are so popular, in order to convince us that the voice of the country is in favour of scarcity and starvation [*Cheers*]. I am afraid he could ensure but a poor attendance at a meeting for such a purpose. Every one of common sagacity must be aware that the only reason why persons were admitted by ticket to the meetings lately held was, that it was known that paid persons were systematically sent to disturb the proceedings and prevent a fair discussion. [Mr. *Ferrand:* Why don't you hold them in public?] I will not allow myself to enter at length into this subject, but I protest against the system adopted by the hon. Gentleman, that whenever a grave public question is discussed in this House, a diversion is attempted by bringing forward a series of personal charges, and indulging in a number of loose statements which I am afraid it will not be found so easy afterwards to substantiate [*loud cries of* " Hear, hear".] I can assure the hon. Gentleman that the public are of opinion that the charges which he brought forward last year, could not, on inquiry, be substantiated; and I advise him, in bringing forward the fresh facts and fresh charges with which he threatens us, to mistrust himself and his information, if he means to be guided by past experience. As to the charge of the manufacturers not subscribing in answer to the Queen's letter, I can assure him that the manufacturers in their own local districts have collected ample subscriptions for the support of the poor; and it does not follow that because the manufacturers decline to sanction the policy of making the labouring people dependent on charity, instead of on their own labour, they are unwilling to relieve poverty and distress. I can assure the hon. Member that there are many wise and good men who think that in subscribing to the Anti-Corn-law League they are more effectually assisting the working people than by entering into temporary charitable subscriptions, as by such a course they are supporting measures which will enable the working classes to support themselves on their labour and industry. I shall dwell no longer on this point; but before I sit down I wish to correct an intimation which appeared to be thrown out by the Seconder of the Address, that there were symptoms of an improvement in trade. I have not been informed that there has been cause for any such satisfaction. I have heard that there has been rather a decline than an improvement; and I assure the hon. Gentleman that at the present moment there is the utmost gloom over the markets. There is not any feeling that the cessation of the war with China gave more than a momentary impulse, or was calculated to give rise to permanent improvement and increased trade. I can assure the right hon. Baronet that he has disappointed the expectations of the manufacturing community, by holding out no prospect of remedial measures for the distress of the country. I do hope the right hon. Baronet, when he sees the way in which this question of a free trade in corn has advanced—when he regards the large subscriptions not only made in manufacturing communities, but in the agricultural districts—and when he is persuaded, as he must be from his experience in public matters, that the days of the Corn laws are numbered—that he will no longer hold out expectations which may induce the occupying tenantry to embark capital in the faith that agricultural protection can be maintained. He must feel that when the two leaders in this House pledge themselves to a sliding-scale and a fixed duty, the only proposition that finds favour with the public is an absolute and entire repeal, and this by meetings not led by demagogues, but composed of large bodies of men who do not ordinarily interfere with politics. At the same time that the right hon. Gentleman holds out no hope of an immediate change, I derive great consolation from the assurance he gave us to-night, that if a change were to be made in future, it must be on bold and extensive principles, to ensure a permanent settlement. As the right hon. Baronet could never consent to a fixed duty, and as he and his party must be convinced of the impolicy of the sliding scale, I can come to no other conclusion, when I couple with these facts his declaration to-night, but that he really means, when he next proposes a change, to give the country the total repeal. I am sure it is the interest of the agricultural tenantry to put an end to the eternal agitation on this subject, so that, instead of their interests being continually jeopardised, they should be enabled to expend their capital on something like a solid foundation.

Mr. *Ferrand*: As the hon. Gentleman has said that I brought forward charges which I could not substantiate, I beg to refer him to the evidence on the Payment of Wages Committee. By that I am ready to stand or fall.

Mr. *Gibson*: My impression is that the hon. Gentleman last year made statements which on inquiry was not substantiated, and that he particularly attacked the hon. Member for Stockport on grounds which turned out not to be well founded.

Mr. *Brotherton* could fully bear out the statement made by the hon. Member for Manchester, and by other hon. Members as to the continuance of commercial distress. He should be able to prove at the proper time, that trade was declining, pauperism extending, rates and taxes increasing, and a great depreciation in the value of property. There must be a cause and also a remedy for this distress. The hon. Member for Knaresborough had proposed to increase the taxation, by adding a tax on machinery. Would he tax ploughs and thrashing machines? He (Mr. Brotherton) was convinced that it was only owing to our machinery that this country was able to bear the heavy weight of taxation. The landed interest in reality paid no taxes; the revenue was supported mainly by the commercial classes when trade was prosperous. As a proof of this, in the four years preceding 1837, when food was cheap, the revenue was flourishing, and there was a considerable surplus; but in the last four years, when food and articles of agricultural produce were dear, the revenue was deficient, and it was evident that such must be the case, because when food was dear the people had nothing to spare for the purchase of exciseable articles, from which the revenue was chiefly derived. The people were now becoming enlightened and saw the remedy which ought to be applied, and which was just, practicable, and reasonable. They knew that the poor man's loaf was taxed to increase the rich man's rent; and they felt that the remedy for their sufferings was a repeal of the Corn-laws. The poor man had no protection for his labour, why, then, should the rich man have protection for his land? The hon. Member for Knaresborough has alluded to the poor manufacturers in the work-house; but what were they before they were manufacturers? The population of the country was increasing rapidly, and the surplus population of the agricultural districts was thrown upon the manufacturers for employment. How, he would ask, could they maintain the increasing population if the agricultural surplus population were not sent into the manufacturing districts and employed there? They talked of the Tariff lowering the price of provisions. The Tariff did no such thing. There was a considerable reduction in the price of butter and cheese which were not altered in the new tariff. The cheapness of provisions arose from the inability of the people to purchase. In Cheshire the farmers found, during the riots and the suspension of labour in the manufacturing districts, that they could not sell their provisions scarcely at any price. It was said, that protection for agriculture was necessary for the protection of the agricultural labourer. There was a curious illustration of that position in the county of Dorset, whose Member had so lately held for the "might" of the landed interest, notwithstanding the protection given to agriculture, the wages of the labourer was so low that every seventh man was a pauper. They might talk as they would about protection for the farmer, but the best protection was the prosperity of his manufacturing customers. When the people ceased to be producers, they must soon eat up the produce of the land. He (Mr. Brotherton) wished to treat the condition of the people as a question free from party feeling; he was convinced that agriculture, manufactures, and commerce might all flourish together, and he hoped that all parties would unite in promoting so desirable an end.

Mr. *Bankes* said, that having been so frequently alluded to in the course of the present discussion, he would take this opportunity of denying that the state of the country with which he was connected was such as had been represented. Much as he regretted the state of the distress which existed there, he was certainly prepared to deny the accuracy of the statement that one man out of every seven was a pauper. He would add, as a circumstance highly creditable to a peasantry now struggling with distress, that at no period of recent times had there been so small an amount of crime in that county as was exhibited at the last assizes and the recent sessions. The fact drew down commendations from the judges who presided at the last assizes, and as chairman of the quarter sessions he could himself confirm the observation, that crime had not increased in Dorsetshire, but the contrary. He could not but complain of the attacks made on the agriculturists, who had conceded as far as they could, and their distress had been caused by the changes which had been made to satisfy the manufacturers. He must assign as one cause of distress, the new experimental measures of the last Session. But theagriculturists were attcked by a self-constituted illegal body, organized for the purpose of depressing and destroying them, if they could, and the League was the grand cause of the distress they were now suffering. The League was unconstitutional in its principle and illegal in its practice, and he believed unless some remedy were adopted for such an innovation on our law and on the Constitution, carried on as it undoubtedly was with power and ability, it would not be the agricultural interests alone that would suffer from its unconstitutional efforts, but our whole system would be shaken, and convulsed. He had seen in the newspapers of this morning two speeches, the one delivered at a meeting held on Tuesday in Liverpool, and the other the day before in Dublin, by an hon. and learned Member not now present—the hon. and learned Member for the county of Cork. On reading these speeches, he could not but find his attention directed to the contrast which they exhibited, as well as to the ability displayed by the same person when taking the two opposite sides of an argument upon a most important question. The hon. and learned Member had given as his last bequest to his (by him) justly favoured country, when quitting the shores of Dublin, the parting warning to his countrymen to beware of these societies which were springing up in his native land, and which were threatening to undermine all that was most dear to them—societies of which the efforts were strongly and avowedly directed against what the hon. and learned Gentleman stated, and justly stated, "to be the beneficent influence of their priesthood." The hon. and learned Member informed his hearers in that speech, that societies were now at work endeavouring to alienate the minds of the Catholic population from the influence of their priesthood, and the advice of the hon. and learned Member to them, was, to beware of the efforts of those who sought to dissolve the ties between them and their natural protectors. In the next page of the same newspaper he found the speech of the same hon. and learned Gentleman, delivered the next day in Liverpool, in which he identified himself with the efforts of the League in that unhappy course so much deprecated by the hon. and learned Member in his native land, namely, the endeavour to alienate the minds of the labourers from their natural friends and kind protectors. All he (Mr. Bankes) asked was, that the natural protectors of the English peasant should have the same immunity from insult and illegal obstruction, as was claimed by the hon. Member for the Roman Catholic priest. The League had raised large sums of money, and if these were applied as the means of providing for the wives and children of the men who had become the victims of the laws of their country in consequence of the incitements of the Anti-Corn-law meetings; he, for one, would not regret the amount of the sums raised; but the Members of the League have combined for a profitable investment of their capital, to the detriment of other interests, while, if the agriculturists were to do the same, they would perhaps deserve the name which he found had already been applied to them—that of the 300 conspirators of the House of Commons. The only struggle made by these so designated conspirators was intended for the benefit of those they represented, and for the protection of the poorer and labouring classes; they did not pretend to secure for them all the protection they wished, but, they will to the best of their power preserve to them the means of honest existence, and those fruits of labour which are their birthright.

Mr. Sergeant *Murphy* could not but think it would have been better taste in the hon Member. who had just sat down if he had postponed his observations upon the hon. and learned Member for the county of Cork until that hon. and learned Member was in his place. He had read the two speeches of the hon. and learned Member for the county of Cork to which reference had been made, and he denied the inconsistency which was alleged to exist in them. The object of the hon. and learned Member's speech in Dublin had been to attack the efforts of certain bodies of Socialists who sought, under the specious name of civil and religious liberty, to estrange the population from the influence of their priests. He denied that there was any inconsistency between the two speeches. While on his legs he could not but complain of the omission from the Speech of all mention of the patient endurance with which the people of Ireland bore their existing distress. His attention had been arrested by one section of the Speech from the Throne referring to China, viz.:—

> "Her Majesty rejoices in the prospect that, by the free access which will be opened to the principal marts of that populous and extensive empire, encouragement will be given to the commercial enterprise of the people."

He trusted that it might be so; he believed it would. But he could not help contrasting that statement with what had been said at the commencement of the war with China respecting the great effusion of blood, the expence, and the disgrace that would attach to us in consequence of engaging in that war, even if we triumphed. Three or four years had passed away, and now the mover and seconder of the address had been heard to declare that the very policy which before was so much decried would result in introducing us to all the advantages of commerce with a densely peopled empire, affording us a market for our manufactures, and, besides all this, civilization and christianity would be widely extended. He would not quarrel with the noble Lord the Secretary for the Colonies for saying that every act of the Governor-general of India reflected the highest honour upon this country; but he would ask whether the act of withdrawing the troops at the time so many of our brave countrymen were prisoners in the hands of their enemies, and the bodies of others lay unburied and unrevenged in the passes where they were slaughtered, was one of those acts which the noble Lord thought to be pregnant with national honour? He certainly could not fail to express his deep disapprobation of this conduct; and he must say that instead of a notice being given for voting the thanks of the House to the Governor-general of India, there ought to be a notice that he should be recalled in disgrace. That would be more suitable to the feelings of the country, because the noble Lord was considered to have done that which tarnished the honour of the country.

Dr. *Bowring* claimed the indulgence of the House while he ventured to make a few observations. The hon. Member for Dorsetshire had denounced the Anti-Corn-law League as illegal and unconstitutional; he did not know how the hon. Member could prove that, but he was certain that the League had produced a conviction in the minds of the people that the Corn-laws were the chief cause of the distress which prevailed amongst our manufacturing population, and that there could be no peace until that system of legislation was overthrown. The power of the League might be seen in the impression it had created, and nothing would arrest its progress but the removal of the grievances to whose oppressions the League owed its resistance. With respect to the Affghan war, he considered its end like its beginning, and its whole course, from first to last, anything but honourable to our national character, whatever acts of individual bravery might have signalized our countrymen. We had little to be proud of in the invasion of a country of which we had nothing to complain—in the bloody battles against rude mountaineers, and in the disgraceful slaughter which had closed the campaign. Now that we were at peace, an opportunity was afforded for anxious inquiry into the cause of that misery which had spread and was spreading over the land, and he hoped the House would find time, and feel the necessity for looking into the causes and consequences of our domestic sufferings. He begged the attention of the right hon. Baronet to one melancholy fact. Last year he had stated, on the authority of the respectable vicar of Bolton, that 7,000 persons had received relief, and that their weekly earnings per head on the average were but 1*s*. A few days ago he received the return for 1842, from which it appeared that the number of applicants who had obtained relief from the Society for the Protection of the Poor was 15,296. The average weekly earnings of the parties dismissed unrelieved were 1*s*. 9¼*d*. The average income of all the applicants was 10¼*d*., of those relieved 9¾*d*. He could assure the right hon. Baronet that similar facts, and evidence of similar sufferings might be found whereever he turned his eyes in Lancashire and Yorkshire. The right hon. Baronet had recognized the principle that the poor man as well as the rich was entitled to buy in the cheapest market and sell in the dearest, and its principle was undoubtedly sound, and lay at the foundation of all commercial intercourse, and what he required at the hands of the right hon. Baronet was, that the starving man might have the benefit of the principle when he wanted to purchase bread.

Mr. *M. Philips* said, that the only suggestion he had heard thrown out during the discussion, for remedying the distress of the country, was a tax upon machinery. He hoped the hon. Member for Knaresborough would fix an early day for the discussion of that question. If there were any persons who thought that trade was fast reviving, and again flowing into its wonted channels, they very much deceived themselves. People on the first news of the intelligence of peace with China, believed that another and an immediate market was thus opened up for our manufactures; but he could assure the House and the country that if trade was to receive any benefit from the Chinese treaty, such effects would be the work of time, and by no means to be immediately expected. With respect to tea, they could not force much additional consumption in that article without lowering the high duties, and if they wanted an extensive trade with China he would urge the necessity of a revision of the Sugar-duties.

Captain *Pechell* could have wished that answers of a more satisfactory character than those which he had returned had been given by the right hon. Baronet opposite to the inquiries put by the noble Lord the Foreign Secretary. He wished in particular to know whether the cruizers appointed to the coast of Africa for the slave-trade were or were not to be confined to that coast in their operations?

Sir *R. Peel* said, that he was not prepared at once to reply to the question put by the hon. Member.

Motion agreed to, and a Committee appointed to prepare the Address.

House adjourned at a quarter to one.

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HOUSE OF COMMONS,

Friday February 3, 1843.

MINUTES.] PETITIONS PRESENTED. By Lord A. Hervey, from Brighton, by Sir R. Inglis, from Christchurch, Canterbury, and from the Bath Church of England Lay Association, by an hon. Member, from Rochester, and Llandrillo-yn-rhos, and by Lord A. Lennox, from Chichester (two), for the Repeal of so much of the Act of Will. 4th, c. 77, as relates to the Union of the Sees of St. Asaph and Bangor.—By Lord A. Lennox, from Chichester (two), for Establishing a Bishopric in Manchester. —By Mr. Hawes, from the British and Foreign Anti-Slavery Society, against the Government scheme of Emigration from Africa to the West Indies.—By Sir R. Inglis, from Thorverton, and by an hon. Member, from Llandrillo-yn-rhos, for Extension of the Church of England. —By an hon. Member, from Farmers attending the Lewes and Brighton Markets (two), for a Repeal of the Malt Tax.

The usual Sessional Orders were made.

POOR-LAW (IRELAND).] Mr. *H. Grattan,* seeing the noble Lord the Secretary for Ireland in his place, wished to put a question to him. Was it the intention of Government to introduce any measure for altering the mode of assessment under the Poor-law in that country? The noble Lord was aware that, at present, the occupant was the party assessed.

Lord *Eliot* said it was not the intention of her Majesty's Government to propose, in the present Session, any alteration in the fundamental provisions of the Irish Poor-law Act. Inquiries respecting the working of some of its provisions were now in progress, and he was in hopes the result would speedily be obtained. When the Government were in possession of proper information, they would be prepared to state what alterations they would propose to make.

THE ADDRESS—THE CORN-LAWS.] Lord *Courtenay* brought up the report of the Committee on the Address.

On the motion that it be read,

Mr. *Walter* said, he could assure the House that it was not without reluctance he rose to address it on this occasion, and the more so, because he feared that some portion of his opinions might not be very favourably received by the side on which he sat; and the other portions of it even less by those to whom he was opposed on the other side of the House. He still, however, felt bound to rise and discharge a very onerous duty, which might otherwise hang upon and oppress him for an indefinite period. With respect to the various topics of her Majesty's Speech, he felt strongly convinced there would be a pretty general unanimity throughout the country. No one could deny, or at least, no one could deny with the hope of making any converts to his opinion, that our foreign relations were in as satisfactory a state as human affairs generally could be. Whether any hostile passions and feelings agitated the bosoms of our neighbours, or of our brethren on the other side of the Atlantic, might not be clear; but of this he was very certain, that if such were the case, there was no line of conduct that we could possibly adopt that would have rendered us more amiable in the eyes of those who nourished such passions and feelings. If we were to prostrate all our greatness, and humble ourselves to the very dust, we should still not give satisfaction to those who harboured and cherished the passions to which he had alluded. Our military and naval operations abroad, also, no one could deny were in the most satisfactory state possible. What led to those operations—the propriety or impropriety of the wars into which we have been plunged, must be the subject of future discussion. That those wars had been successfully brought to their present conclusion—that they had added to our security, and imposed the wholesome restraint of fear on those who might otherwise intend us mischief in the remotest regions of the world, could not be doubted. Nor could he omit to express his hearty approbation, so justly merited by her Majesty's Ministers, and the Home Department in particular, for their conduct in the suppression of the late tumults in the manufacturing districts; which led him to believe, that even if Parliament had been sitting, they would not have attempted to introduce any new laws, still less to suspend those old ones which constituted the revered bulwarks of the constitution. But, in however satisfactory a state our foreign concerns might be now placed, a painful experience taught us, that this foreign security supplied but an insufficient antidote against domestic suffering and consequent discontent; and if there were one advantage more than another that our present general situation afforded us, it was, that we might attend to our home concerns—to all the difficulties and uneasiness of our domestic relations—without the embarrassment or distraction of perplexities springing up from abroad; we were really at leisure to look to ourselves. Of all the difficulties of this situation, the chief were those arising from topics which had been for the last half-century incessantly agitated in Parliament, and that apparently without approaching to any definite conclusion. We were as far from unanimity now, and, he was sorry to say, as from tranquility also, as we were at the moment to which he had just alluded, viz. fifty years ago. It surely, therefore, became the imperative duty of every good and patriotic man to assist in some final act which might at once soothe these animosities, and give to the nation and its several interests tranquillity and repose. The topics to which he alluded were, in one word, the Corn-laws; connected, indeed, with various considerations of commerce and manufactures. It had been his lot to represent both an agricultural and a manufacturing constituency, and he was happy to say, that the opinions he first formed, after all the reading and all the consideration which he was able to bestow on the important subject to which he was then directing attention, had received the general sanction of both those classes of persons. The leaning of his mind had always been in favour of a fixed duty; and he firmly believed, that you never could arrive at anything like permanent concord till your duty was fixed and permanent also; the very characteristic and essential quality of a variable scale being, that it should be liable to annual, or at least frequent change. The productions of this and foreign countries might adapt themselves finally and permanently to a fixed duty; a variable scale would for ever agitate, and render the supply of corn equally variable. Indeed, with respect to the act of last year, introduced by the right hon. Baronet now at the head of her Majesty's affairs, he thought it deserved its greatest tribute of approbation from the circumstance that, though proposing some variations, it still approached nearer to a fixed duty than any act by which it had been preceded. The right hon. Baronet adhered to it still, and so let him; but, if he did not see the necessity for immediate change, he was much mistaken if his mind did not prospectively look forward to some time next year, if not this, at which he would be impelled to concur in the opinion which was universally gaining ground. While there is a variable scale we are at sea; when the variations, as in the present case, are but few, we are within sight of the port, and that port is a fixed duty. There was another point, also, deeply connected with this question, and that was, the principle on which you legislate. By a fixed duty you place grain in the same position as other articles of importation; whilst, by what is called the protecting duty—that is, an ever-varying duty, for such it must be—you afford a handle for the allegation that you are legislating for classes; that it is class-legislation, not universal or national legislation, which you sanction and adopt. But if the principle on which you proceed be that of revenue only, as in the case of other imported articles, it appeared to him there would be an end of this serious charge of class-legislation. It was upon this principle that he canvassed successfully a great agricultural county in 1832, and which he maintained now as representing a great manufacturing town; and from this varying experience he was justified in concluding, that a fixed duty was the only method of procuring the concurrence of both parties. In coming to this conclusion it would be observed that he had spoken chiefly of the measure of fixed and variable duty in the abstract. With respect to all that had been incessantly beaten into their ears, on the one side, of the hardship of throwing the poor agricultural labourer out of employment by throwing poor lands out of cultivation; and on the other, of the sufferings of the starving artisans by the continuance of the present system of class-legislation, he thought there was a great deal of hollowness in the professions of both parties, and that each would be greatly perplexed by depriving it of this argument, or pretence, of sympathy for the unhappy sufferers on either side. He should, therefore, leave the rural advocates of the present workhouse system and prison dietaries, and the Dissenting ministers with bleeding hearts forming the Manchester conference, who alike agreed in the detestable principles of the New Poor-law, to settle their Corn-law differences between themselves. But reference had been made to a certain association, called the Anti-Corn-law League. Now, he had a great abhorrence of all associations; they always professed some beneficial object; but the intentions of the chief actors in them he believed to be universally selfish, anti-social, and mischievous. But he did not decry the present Anti-Corn-law League on account of its principles in the abstract, but really on account of the parties who were the leaders in it, and who he believed were quite as much disposed to grind the poor, whose sufferings they professed to make the objects of their stir, as any other class in her Majesty's dominions. But while we decried this League, let us not forget that we had had Agricultural Leagues also. He believed such associations deserved the epithets he had just bestowed on them; but he alluded particularly to one grand agricultural association which afforded a mischievous precedent to others, and assembled some years ago within 100 yards of that House. The present noble President of the Board of Trade denounced it as a Parliament sitting in the face of the regular Parliament, and dispersing its proclamations all over the kingdom. These, however, had all been open societies. But might there not be leaguers of a much more dangerous character, of whose intentions and acts the public might have but slight information? The atrocious Poor-law itself really emanated from the proceedings of such a league. He alluded to the original commission, now almost forgotten, and not to the body commonly called the Triumvirate. Gentlemen who knew a great many of the secrets of that commission had told us of the extreme sufferings of the poor, and of the discontent that would be felt by the masses if nothing were done for them. They had been also told of the wonders that were to be effected by education, even in workhouses; but was it an assential preparative to such education, that the objects of it should be subjected to something little short of starvation before they commenced their studies? He would read to the House two of the secret recommendations of this mind-improving, body-starving commission, from which our new Poor-law had emanated. The first of these recommendations was, that

> "The commissioners shall have power to reduce allowances, but not to enlarge them."

After some further suggestions, they proceeded thus, and to this passage he called especial attention;—

> "After this has been accomplished, orders may be sent forth, directing that after such a date all out-door relief should be given partly in kind; after another period it should be wholly in kind; after such another period it should be gradually diminished in quantity, until that mode of relief was exhausted. From the first the relief should be altered in quality, course brown bread being substituted for fine white; and concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the indoor poor, and strict regulations enforced."

He should not comment on language like this now. Indeed, it was already practically commented upon by the severe sufferings and deep-rooted discontent of the labouring population. But, if the House would allow him, he would recur to the Corn-law. He could strengthen his own opinion, if time would permit, by all the authority of great names, the number and weight of which were almost universally on the side which he advocated, but he should only quote a few of them. Mr. Huskisson in 1828,

> "Lamented from the bottom of his soul the mass of evil, and misery, and destruction of capital which the Corn-law, in the course of its twelve years' operation, had then produced; and asserted that he could make it distinctly appear, that the effect of that bill, as far as regarded the agriculturists themselves, had been to keep the prices of produce lower for those twelve years than they would have been if the trade in corn had been free."

Another President of the Board of Trade, six years afterwards, declared in this House, that

> "The agricultural interest had been, during that time, retrograding from bad to worse. He described the period from the passing of the Corn-law in 1815, down to the time at which he was speaking, as eighteen years of suffering, of decay, of privation, and vicissitude."

He said, that

> "In 1815 you were at least fifty years in advance of all that could render manufactures prosperous; the greater portion of the natives of both hemispheres were unacquainted with the different arts by which you were distinguished; there were few restrictive laws in force abroad; none of those prohibitory tariffs which now encircled every frontier (and which had since then been greatly increased). Our advantages we might have preserved, but instead of that we threw them away and imposed the Corn-law. We obliged them to enter into competition with us, to make those articles for themselves which we would not suffer them to purchase from us, because we re-

fused to receive in exchange those commodities which they alone could give in exchange. Thus, by rapid steps, we forced them to be our rivals when they would gladly have become our friends and dependents. . . . His assumption was, that, had it not been for the restrictive laws on corn immediately following the peace, British manufacturing industry would have taken a flight unequalled even in the days of Arkwright or of Watt, and supplied, without competition, the whole world, instead of being, as now, scarcely able to compete with foreigners."

But he would not confine his remarks to what had passed in this House. What said the late duke, then only Marquess of Buckingham, in 1815,

> "He protested against the bill, against its principle, the mode of carrying it into practice, and against the precipitation with which it had been hurried through the House, in defiance of the petitions of the people. He characterised the measure as a bribe given to the landed interest, to induce them to acquiesce in the maintainance of war establishments in a time of peace; and considered it as most unjust to the other classes of the community, that the landholders should thus have secured to them, in a time of peace, the high prices which they had obtained during a period of war."

But the opinions of Lord Grenville were, probably, more entitled to weight than those of any statesman of this century. Let any man read his celebrated protest against the Corn-law Bill. Though a prophecy at that time, it read now like a true history of the disastrous consequences which that law has entailed upon the industrious classes of the community, both agricultural and manufacturing. He could find but little deserving the title of an argument on the other side. The Speech of a right hon. Baronet, who was the chief defender of the Corn-law, in 1834, assigned the only cause, and that cause unhappily derived from the principle of class-legislation, for the continuance of those laws. He said,

> "If the effect of the proposed measure should be to reduce rents 20 per cent., he spoke advisedly when he said that two-thirds of the landed property of England would at once change hands."

Now, this could certainly mean but one thing, viz., the protection of those who had mortgages on their estates; and while some taxed the poor with improvidence, it was but a corrective hint from the right hon. Baronet that others as well as the mere poor might be improvident also. He would take the liberty of adding a foreign example to those drawn from the domestic policy of our own country. If there was one thing more than another which a Frenchman ought to wish for the honour and security of his country, it would be a navy. Bonaparte, in his furious projects for universal empire by land, entirely neglected that arm of national greatness. Now, he recollected to have learned many years ago, that a mercantile navy, which is so easily convertible into a Royal navy, had partially sprung up of itself in France; for a most active commerce had, without any encouragement of the Government taken place between Odessa and the ports of the Black Sea, and the Mediterranean ports of France; and it appeared that many thousand seamen had been formed and were employed in that service. Here then was the nucleus of naval grandeur for France—here was the first germ of that power which every Frenchman ought devoutly to covet. But what was the consequence? The landed interest—and he believed he might venture to call the landed interest of France at that period, the least respectable in Europe, for it was composed almost entirely of the purchasers or plunderers of the property of the ancient nobility and emigrants—this landed interest of France began to find out that with other articles some corn was imported from Odessa, and that the markets, as they asserted, were thereby kept low. This landed interest in consequence so persecuted and pestered the French Ministers with exaggerated representations of their ruin, that the Government actually stopped this trade, prohibiting importations from Odessa. And what became of the thousands of seamen, the elements of a future marine for France! They were thrown out of employment, they were totally annihilated as seamen. But would it not be most disgraceful in the ancient hereditary landed interest of England to be pursuing the same course as the untitled possessors of land in France,—to require the sacrifice of the shipping interests of their country, of the commercial interest, of the manufacturing interest, and of all the other interests that constitute the greatness of a state, to their cupidity? These might be unpleasant truths, but they were truths, and ought to have their weight upon men who had the good of their country, and not that of a sect, or faction, or party, at heart. He should deprecate most strongly any vindictive feeling on either side, and proceed to legislate on the question of the Corn-laws with that becoming calmness and temper which so important a subject deserved. Whenever the simple principle of a fixed or variable duty came fairly before the House, he should vote for the former.

Mr. *Ward* did not expect that the discussion on the address would be reopened on the present occasion; and certainly, but for the important observations of the hon. Member for Nottingham, he would not have taken any part in the debate; but the position of that hon. Member, his connexion with a great agricultural county, and now representing a large manufacturing constituency, and the side of the House from which he spoke, gave to his remarks, in themselves well chosen, an importance which could not be passed over without notice. He thought the country was under much obligation to that hon. Member for the expression of his sentiments on the important subject to which they referred, and for the time chosen for that expression. The hon. Member's speech showed that there was a growing disposition in the country to meet the question by discussion. It showed the existence of a desire to have it discussed with calmness. It also showed that many hon. Members who sat behind the right hon. Baronet at the head of the Government, and who gave him generally their support, would not allow the questian to remain in its present position; and that even amongst those who were most connected with agriculture a great change of opinion was being gradually brought about. Among this class of men there was a sincere desire to see things placed on a footing which would afford some promise of stability. Everybody out of the House felt that the present Corn-law was not, nor could be, nor would be lasting. Everybody knew this; everybody knew that, though the subject was not included in the Queen's speech at the beginning of the Session, the right hon. Baronet himself was fully aware that this law could not be left where it was. There was a general feeling of dissatisfaction at the working of the law, which was becoming every day stronger and more general throughout the country. This feeling existed among the agriculturists themselves. He spoke now from his own experience; and he knew that many who, three years ago, would have shown themselves the most inveterate denouncers of those who ventured to hint at the possibility of a repeal, now said that a total and absolute repeal would be better both for the farmer and tenant than the system as it at present stood. They said that they could not farm without leases, and they could not take leases without knowing what was to be done with the Corn-laws. No tenant possessing capital would invest it under these circumstances. It was in vain to hope for any great improvement in English agriculture—for any approximation, to the state of things in Scotland without increased confidence, and that confidence could not be secured without a law that should have the general assent of the community. The right hon. Baronet knew that the present law had not the general assent of the community; but that, on the contrary, the manufacturing interest felt that it was crushing their prosperity, and standing in the way of their interest at every step. The town which he had the honour to represent, offered conclusive proof that the Corn-law was the cause of much suffering. The right hon. Baronet, the Secretary for the Home Department, had, in some degree, alleviated the distress of the labouring classes in Sheffield by sanctioning the appropriation of a considerable sum from the fund devoted to the carrying on of public works, for the purpose of affording them employment; but if it were not for the Corn-laws, full employment for all would be furnished by the trade of the United States. Corn ought, as the hon. Member for Nottingham proposed, at least to be put on the same footing as other articles of commerce, for it was the most important article of all. The right hon. Baronet declared last Session that his great object was to remove every restriction upon raw materials, which were the staple of labour; and the right hon. Baronet contended, that the removal of such restrictions would give such an impulse to industry, as would soon compensate for any loss which the revenue might immediately suffer from the abrogation of duties. Why did not the right hon. Baronet apply the same principles to corn. He had heard the Royal Speech with the deepest sense of pain and disappointment. He had expected that the right hon. Baronet would not take his stand upon the changes which he had effected last Session; but that, professing as he did sound principles consistent with reason and confirmed by experience, he would have continued in the career which he entered upon last Session, and in which he would have had the support of every reflecting man in the country. He was aware of the right hon. Baronet's position; there was a party at his back who would not allow him to exercise a fair judgment upon these important questions. It was thought, last Session, that the right hon. Baronet had, to a certain extent, parted company with those dead weights upon his policy; but, somehow or other, it became apparent, as the Session approached, that their influence was exerted upon him in a very sensible manner. This was a circumstance which would cause deep disappointment in the country. Hundreds of thousands of persons had, like himself, been looking forward to her Majesty's Speech, in the expectation that the right hon. Baronet would not rest satisfied with what he had done last Session, which he himself acknowledged to be incomplete, but would proceed in the useful path which he then entered upon, and at every step effect a sensible alleviation of the distress of the country. The speech of the hon. Member for Nottingham was important, as indicating a point upon which something like an approximation of opinion might take place; but, at the same time, he felt it necessary to declare that in his opinion a fixed duty upon corn must, under any circumstances, bear the character of injustice. He could not admit that corn ought to be dealt with merely as any other article of importation. A fixed duty on corn would always partake of the character of what the hon. Member had described as class-legislation. Practical men might, it was true, prefer a low fixed duty to the continuance of an agitation of which they might see no end for many years to come; but it must be recollected that to impose a fixed duty on corn imported, was, in fact, to impose that duty upon all corn grown in this country. In order to derive a revenue of *5s.* a quarter on two millions of quarters imported, the people would have, in fact, to pay that amount of duty upon twenty millions of quarters of home growth. He regretted, that the noble Lord on that side of the House (Lord J. Russell) had not taken the opportunity last night of explaining his views as to the amount of fixed duty which he considered necessary. The proposal of a low fixed duty might, perhaps, be the means of enabling parties to approximate to an agreement upon the question, a result which was greatly to be desired, for as to leaving the matter as it stood it was utterly impossible, and the agriculturists would lean upon a broken reed, if they thought the question could remain in its present unsatisfactory state. Even among the ranks of the agriculturists were to be found those who recognised the validity of the arguments upon which was grounded the claim for the Repeal of the Corn-laws. In a recent publication, an article had appeared on our commercial policy at home and abroad, the authorship of which was generally ascribed to the right hon. the Vice-President of the Board of Trade. He referred distinctly to the right hon. Gentleman, because it was desirable the country should know whether the principles enunciated in the article in question were professed by the Government. If that should prove to be the case, those Gentlemen who clamoured for protection to agriculture ought to go to school to their own leaders. The right hon. the Vice-President of the Board of Trade would inform them that they could not hope for a home market for their produce unless the manufacturers had a foreign market for theirs. The principles propounded by the right hon. Gentleman were excellent; all that was wanting was, that they should be carried into practice. He did not like to see a broad ground laid down in theory, and the narrowest possible ground taken in practice. What the right hon. Baronet did last Session was good for a beginning, but bad for an ending. The right hon. Baronet could not rest his fame as a commercial reformer upon what he had done; but must go further. The right hon. Baronet might, if he pleased, obtain the highest reputation of any man who had ever engaged in the work of commercial reform; for this it was only necessary that he should proceed to act upon the principles which he had propounded last Session, and not shrink from applying them, in order to suit the exigencies of a party. The agricultural interest could never enjoy prosperity unless the manufacturing interest could find a vent for their products. At present, those sources of industry which had furnished employment for surplus labour, were dammed up, and the population was driven back upon the agricultural districts. The hon. Member for Halifax spoke feelingly last night on the effect which the want of manufacturing employment produced upon agricultural labourers in the north of England. Similar results were beginning to be observable in the southern part of the kingdom. And, men who had been absent for twenty years were coming back to their parishes and adding to the surplus population. It was necessary to provide for these men in the union workhouses, whereas under a better system of commercial policy they would be able to obtain employment in the large towns. He would caution the owners of land, that if some employment were not found for that population by the expansion of trade, there would, before long, be no security for property.

Mr. *Liddell* must object to the inconvenient, he might say, the unfair course of getting up a discussion on the Corn-laws, on the question for bringing up the Report on the Address, which did not contain one word in allusion to that subject; but after the speeches of the two hon. Members who had preceded him, it was impossible for him to remain silent. The observations which the hon. Member for Nottingham had quoted from Mr. Huskisson's speeches were directed, not against such a law as now existed, but against the law of 1815. Mr. Huskisson was himself the author of the sliding scale, and it was absurd to quote him with the view of making it appear that he was opposed to a law founded upon that principle. Although the hon. Member for Sheffield had complimented the hon. Member for Nottingham's speech, it was evident that he did not concur in the views of that hon. Member. The principal ground on which the agricultural interest opposed a fixed duty was, that it was intended to be merely the stepping-stone to total repeal. The hon. Member for Sheffield would not venture to say, that he thought a fixed duty would be maintained for any long period; what, then, would become of the hon. Member's argument respecting the feeling of uncertainty which prevailed under the existing law? He, however, denied that any such uncertainty did exist. The agriculturist felt that he enjoyed much greater security under the present law, than he could have under a fixed duty. In fact, a fixed duty would be no security at all. He rejoiced that the right hon. Baronet at the head of the Government had declared his determination to maintain the present law. The uncertainty to which the hon. Member for Sheffield had alluded, was occasioned, not by the state of the law, but by the violent language which had been used throughout the country. The uncertainty alluded to existed, to a great extent, only in the mind of the hon. Member himself. Leases were concluded under the present law upon a very simple principle, the rent being made dependent on the average price of corn. In that way the uncertainty caused by the present state of the law was got rid of. Improvements in the cultivation of the land were being carried on to as great an extent as he ever witnessed, and to a person traveling through the kingdom, the whole country bore the appearance of a garden. What he stated were facts, which he defied all the leaguers in the country to disprove, however they might be denied in that House, or at the meetings of the League. If the right hon. Baronet had shown any symptom of wavering, in the support of the law which he had himself put upon a sound footing last year, such conduct would have been productive of a hundred times more mischief than all the denunciations of the Corn-law League. He congratulated the friends of the agricultural interest, and the true friends of the commercial and manufacturing interest, upon the firm stand made by the right hon. Baronet on this point. Before sitting down, he would add a few words upon another subject. He should not act the part of an honest representative of the people, and a true friend of the Government, if he did not declare, with the deepest pain, that the present state of the labouring classes was most deplorable. He would not have objected to have heard from the right hon. Baronet, in his speech of last night, a further admission to that effect. The right hon. Baronet had adverted to the returns of the deposits in the Savings-banks. He was not prepared to say how far those returns furnished a valid test of the condition of the working classes; but, if they were so, he would receive the evidence of improvement with gladness. He was not disposed to take a desponding view of public affairs; if anything, he was of too sanguine a disposition. There were, however, circumstances which indicated but too plainly the unfortunate condition of the working classes. In some localities, the poor-rates almost eat up the rentals. In some portions of the town of

Sunderland, the quarterly rates were from 4*s.* to 4*s.* 6*d.* in the pound, making an annual rate of not less than 16*s.* in the pound. So great was the pressure on the workhouses in many parts of the kingdom, that the boasted workhouse test was altogether abandoned. The state of the prisons also exhibited evidence of extending distress and consequent demoralization. It was his firm belief, that if the Corn-laws were to be repealed, the distress, so far from being alleviated, would be greatly aggravated in all its symptoms. That was his firm and deliberate opinion; and if it were not, he would not stand up to vindicate the existing system of Corn-laws. Employment was what the labouring classes wanted; and the only means of improving their condition was by furnishing them with employment. It was by the revival of trade alone that employment could be provided. A glimmering of improvement in this respect was opening before them, and he trusted it would brighten into a brilliant prospect.

Mr. *Ewart* observed, that the distress of the people was universally admitted; and he therefore hailed with infinite satisfaction the support to justice and humanity which had been that night given by the hon. Member for Nottingham, whose opinion was of great importance, not only because he represented a great manufacturing constituency—not only because he was connected by residence and property with a great agricultural district, but because he was likewise connected with one of the greatest combinations of talent which the press of this country possessed.

Report read.

On the question that it be read a second time,

Mr. *Villiers* wished to put a question to the right hon. Baronet, in consequence of what had fallen from the hon. Member for Northumberland, which was, whether he had been correctly represented by him, or whether he had been misapprehended on that side of the House. The hon. Member for Northumberland congratulated his friends on the pledge which the right hon. Baronet had given last night to adhere to the present Corn-law, as a final settlement, and as considering himself bound by that declaration to make no farther change; he had been understood, on his side, to confine that declaration to the present moment. Would the right hon. Baronet, for the satisfaction of the country, state what he did say.

Sir *R. Peel* said, he had no objection to give the best answer in his power to the question of the hon. Gentleman, and, whatever objection their might be to answering general questions of this kind, still, on a matter of such importance, he would endeavour to return as complete an answer as he could. He did not at present contemplate any alteration in the Corn Bill, as agreed to last Session. He did not think that a sufficient period had elapsed since the passing of that bill to give it a fair trial; and he certainly preferred that bill to any proposition that he had since heard. He did not believe that the substitution of a fixed duty would secure for agriculture the same degree of protection. When the hon. Member for Sheffield (Mr. Ward) calculated that a fixed duty, say of 5*s.* a quarter, would subject the country not only to a tax of 5*s.* a quarter on the corn imported, but that it would be equivalent to a tax of 5*s.* on the 20,000,000 of quarters grown at home and consumed there—when the hon. Member maintained, in short, that such a fixed duty would be equal to a tax of 5,000,000*l.* he could not at all reconcile it to his own mind how the hon. Member could think of taking his stand on the principle of a fixed duty. Upon the whole, therefore, as he (Sir R. Peel) had heard nothing to convince him of the great advantage there would be in the adoption of a fixed duty, he must retain the opinion he had expressed last Session, and oppose any alteration in the present state of the law. That was all he felt it necessary at present to state with respect to the Corn-laws. He never intended to bind himself to adhere irrevocably to any particular law. Never would he agree to purchase any degree of support by an engagement to take his stand, not on a principle, but on some existing law, in which it was impossible for any man to say that the interests of the country would not make it necessary to introduce alterations from time to time.

Motion agreed to.

Address ordered to be presented to her Majesty, by such Members of the House as were of her Majesty's Honourable Privy Council.

POOR-LAWS (SCOTLAND).] Mr. *E. Ellice* moved an address for a copy of the warrant given to the commission appointed to inquire into the Scotch Poor-law system. He regretted that a system so admittedly defective should be unattended to for so long a time. The evils were admitted in the last Session, and since that time the distress had increased considerably in the west part of Scotland, and no steps had been taken to remedy it, nor had any efforts been made to procure the returns ordered by the House respecting the relief which had been afforded. Seven months ago a promise to inquire had been made, but the commission to inquire was only appointed in January last. It consisted of the following persons:—Lord Melville, Lord Bellhaven, Mr. H. Home Drummond, Mr. Campbell, of Craigie, Mr. Twisleton, Dr. Macfarlan, and the Rev. James Robertson. He, for his own part, had no belief in the efficacy of the commission, or in any good that was likely to result from it. The composition of the commission was not calculated to induce a belief in Scotland that a fair or impartial inquiry would be instituted. Four of the seven, a majority of the whole, were selected out of the class which was opposed to any improvement of the present system, and had endeavoured to stifle all inquiry, namely, the Scottish landlords. He would put it to any one who knew the country, whether the Scottish landlords were likely to institute a fair inquiry? He did not mean to make any individual allusion, as there were not four gentlemen of that class more deserving or respectable than those four gentlemen. The fault was in their position, and it would be quite as well to expect an impartial report on the operation of the Corn-laws from the Buckinghamshire Agricultural Association, as to expect that Scotch landlords should report impartially on the present Poor-law system of that country. Of the other three who composed the commission, two were clergymen of the Scotch establishment. It should be remembered that all the legal relief which was afforded in Scotland passed through the hands of the clergy, and could it be supposed that they would consent to forgo a power which they sometimes exercised injuriously? Mr. Twisleton was the only gentleman upon the commission from whom a fair or impartial inquiry could be expected. Those who had framed the commission had gone out of the way to exclude men residing in large towns, and in whom the public would place confidence. He meant those men whose conduct had excited the highest admiration—namely, the Dissenting ministers. He hoped their conduct would stir them to show up the present poor-starvation — he could not call it relief—law in its proper colours, and if the country at large were made fully aware of its enormities, it would not be of long continuance.

Sir *R. Peel* was surprised to hear the hon. Gentleman complain of a delay in the appointment of the commission. Those with whom the hon. Gentleman usually acted had been for ten years in power, and yet they had not gone as far as a commission. A right hon. Gentleman who was well acquainted with the affairs of Scotland had been an Under Secretary of State during a portion of that time, and he had made no proposition on the subject. The subject, it appeared, was so difficult a one, that during ten years the preceding Government had not been able to take a single step; and yet the present Government was to be censured because he had proceeded no further than a commission since July last. From what had been said last year upon the subject, especially as regarded the operation of the system in large towns, he (Sir R. Peel) said, that it was absolutely necessary that some inquiry should be set on foot, and the consequence was, that the present commission was appointed, and it was to be regretted that the hon. Member for Wigton, who was so eminently qualified to enter into the inquiry, was prevented by ill-health from acting with the commission. But the hon. Gentleman said, that because there were clergymen and men of landed property upon the commission, the inquiry could not be an impartial one. He felt himself called upon to vindicate the hon. Gentleman's country from the aspersion which the hon. Gentleman himself had thrown upon it. So far from being desirous of retaining the power of relief in their own hands, they were desirous of having it confided to commissioners. Were such men as Lord Melville and the others who composed the commission liable to the charge of partiality? Having now for the first time instituted a commission to inquire into the operation of the Poor-law system in Scotland, what could be more desirable, what could be more useful, than the aid and information of the clergy in following out the investigation? The hon. Gentleman who made the complaint was silent for ten years, and now he taxed those at present in power, and who had commenced an investigation, with the delay of a few months. If the hon. Gentleman would look to the appointment of the commission, he would find, that though the terms were brief, the subject of inquiry was comprehensive.

Mr. *F. Maule* complained that the right hon. Baronet in answering the hon. Member for St. Andrew's had thought fit to aim at the late Administration. [*No, no.*] Why, it was stated, that having been in power for ten years, they had not during that time made any inquiry into the working of the Poor-law system in Scotland. The fact was, the hardships of the present system did not appear so prominently until the last two years. Had the same circumstances occurred sooner, and had the attention of his noble Friend behind him (Lord J. Russell) been called to the subject, that noble Lord would have acted in the same manner as the right hon. Baronet had done, and would have taken the question into his own hands, but he would not have legislated without first instituting a full inquiry. The attention of the House had been called to the subject on the 17th of last June, upon which occasion the right hon. Baronet said that the attention of the Government should be directed to it. A commission might have been sooner appointed, and sufficient information procured in the interim, so as to enable the Government to propose some remedy during the present Session. With respect to the commission which had been appointed, he (Mr. F. Maule) considered that none could be more fairly constituted. No name could inspire more confidence than that of Lord Melville, and no person was better informed upon the subject. Scotland was deeply indebted to him for the Prison Bill, and there was no doubt would be equally indebted for his exertions in the proposed inquiry. It was necessary that the commission should inspire confidence, and though he was sure the one appointed could not fail to do so, still it would increase this confidence—and it was not yet too late to make the attempt—if some individuals from the large towns were appointed on the commission.

Sir *R. Peel*, in explanation, said, he had no intention of throwing the slightest blame upon the late Administration. He had himself hesitated long upon the subject, as it was one upon which he did not think it wise or prudent to enter hastily.

Mr. *Campbell* complained of the hon. Member for St. Andrew's for stating that the clergy made an injurious use of their power of distributing relief. It was an assertion which he would not allow to pass uncontradicted, as there was no body of men who could more fairly or judiciously manage the relief fund than they had done; and if by the circumstances of the day a great body of those men should be compelled to leave the church of their fathers, it would be too late to find how much the aristocracy would lose when deprived of the assistance of those whose services were so valuable in administering the funds for the relief of the poor. Did the hon. Member for St. Andrew's remember the distress in the western highlands in 1836?

Mr. *Ellice* in explanation said, that he had not intended to imply anything injurious to the clergy of Scotland; he merely meant to say that they did not exactly constitute the body best qualified to distribute relief to the poor.

Mr. *Wallace* was convinced the commission would give great satisfaction in Scotland. It ought to have been appointed sooner, but better late than never. He had only one objection to make to it, and that was, that one or two dissenting ministers had not been placed on it. It was not, however, too late to correct the error. The men whose names were already there, were very competent, and would give great satisfaction. He was sorry to be obliged to differ on the subject from his young friend.

Sir *James Graham* said, it was a long time before he could make up his mind to grant this commission, and he was, therefore, the less surprised that the late Government should so long have delayed the inquiry. Nothing but a conviction of the great sufferings that had prevailed in the manufacturing districts had induced him to consent to disturb a system which, on the whole, had acted well. He could not, however, conceal from himself the fact that the existing system of Poor-laws in Scotland had been framed for a state of society different from that which now existed there. The system was well calculated for a rural population, but not for the new circumstances that had arisen in that part of the country. Still he felt he was taking great responsibility upon himself in disturbing a state of the law that had so long been established, and while he felt the necessity of inquiry, he still deemed it necessary that the inquiry should be made in the most cautious manner. He (Sir James Graham) had been in communication with a great number of persons in reference to this matter, because to obtain the consent of Gentlemen to act together on a commission of this kind was not the work of a day. When Government had determined on forming a commission, its composition became a matter of negotiation. He had throughout the last autumn communicated with a number of gentlemen in Scotland, and the expediency of the cautious course he had followed in this respect was proved by the great approbation which had been given to the composition of a commission entrusted with such large powers, and which was liable to be viewed in some quarters with jealousy. The expression of approbation implied in what fell from the right hcn. Member for Perth had been confirmed by the remarks made by the hon. Member for Greenock, and even the hon. Member for St. Andrew's who had been introduced as a young friend to the Gentleman on the other side by the hon. Member (Mr. Wallace), had only attempted to censure the delay which had taken place, and had on the whole expressed his satisfaction at the appointment of the commission. He could assure the hon. Member that political feeling had not had the slightest influence in the selection of the persons who are to form the commission. It was thought necessary to take Gentlemen of opposite opinions in politics, because large masses of the community could not have given the commission their confidence if there had been uniformity of opinion; but he had endeavoured together with his Colleagues, so to frame this commission that that source of distrust, at all events, had been avoided. With respect to the clergymen selected to be members, one was the minister of one of the largest commercial cities of Scotland, the rev. Dr. Macfarlane; the other was minister of a landward parish, well known both for his benevolence and his intelligence, as well as other qualities which pointed out the propriety of choosing him. He could assure the hon. Gentleman that, upon the whole, after the best attention he could give to the subject, he believed that this commission was fairly composed. It was composed of men of talent, of caution, of prudence, of determination, and of knowledge, connected with the subject into which they were to inquire; and he was confident that their labours would lead to a full inquiry into the whole state of the case, which would enable Parliament, in its wisdom, to legislate on the subject. He did not think it was of paramount importance to have an equal balance either of parties or of opinions in the commission. What was wanted was a mass of evidence—fairly brought forward, carefully sifted, and placed on record. If the report contained evidence so taken and so sifted, he was quite confident that Parliament would be enabled to form a sound opinion in respect to all the conflicting difficulties of the subject, and to legislate satisfactorily upon them. The hon. Gentleman (the Member for St. Andrew's) had asked for the instructions given to the commission. Following the precedents of the Poor-law inquiries, both in England and in Ireland, no separate instructions had been given to them. Their instructions were contained in the instrument itself, and if the hon. Gentleman, instead of the instructions, would move for a copy of the warrant appointing the commission, he should have the utmost pleasure in consenting to the motion. He wished just to read to the House what were the words composing the warrant for instituting the inquiry, and then he thought it would be seen that more ample scope could not have been given for full and satisfactory investigation. The words were these:—

> "They shall make full inquiry into the practical operation of the laws which provide for the relief of the poor in Scotland, and whether any and what alterations, amendments, or improvements may be beneficially made in the same laws, or in the manner of administering them, and how the same may best be carried into effect."

These, pretty nearly, were the words of the original English Poor-law inquiry. He thought more extensive words could hardly be employed. No fetter whatever had been imposed on the inquiry itself. The commission had been fairly constituted; the terms on which they were to assemble were large and ample; and he should be very much disappointed, indeed, if the result of the inquiry did not lead to legislation which would be productive of good in that part of the United Kingdom.

Lord *John Russell* certainly did not feel that the smallest blame could fairly be imputed to the late Government for not having issued such a commission as the present. He had felt, when he had the honour of filling the office now held by the right hon. Gentleman opposite, just as the right hon. Gentleman said he now felt—that it was a matter which required very considerable caution. It was, as he thought, a matter of much doubt, and there being a pressure of other questions relating to poor-laws in England, the introduction of a Poor-law in Ireland, and the new circumstances arising from the working of those alterations, he had always thought it was desirable to postpone any inquiry into the subject. With respect to any immediate destitution which might arise in the mean time, those cases of distress were not unattended to; and as his right hon. Friend (Mr. F. Maule) had said of the destitution that had occurred, persons were sent down for the purpose of investigating the particular cases. He remembered that a large deputation had once come to him on the subject of distress in Scotland, and he had suggested that some alterations in the Poor-laws might be required. That suggestion did not seem to him to be very acceptable to the gentlemen forming the deputation. He was perfectly satisfied, as far as he knew, with the commission, because he thought the name of Lord Melville was an earnest that the inquiry would be fairly conducted. It was right to issue that commission, yet he owned he could hardly venture to anticipate, with the right hon. Gentleman (Sir James Graham) that there would be perfectly satisfactory legislation on this subject. He admitted that, from the novel features by which the condition of Scotland was marked in recent times—the increase of population, the growth of large manufacturing towns, and the change in particular occupations which had taken place, in part of the Highlands, it might be desirable to alter the present laws for the relief of the poor of Scotland; but, on the other hand, he did not see how they could very well make an alteration without making it general. On comparing the situation of an able-bodied labourer in the rural districts of England with his condition in some of the counties of Scotland, it certainly appeared to him that the able-bodied labourer in Scotland had the advantage. The absence of the English mode of relief produced a contrast between the employer and the labourer in Scotland, by which his labour, although perhaps reduced in price, was continued during the winter, while the facility for obtaining relief under the English Poor-law was a reason for discontinuing the employment of the labourer during part of that season of the year when there was little or no work at the farm, and the farmer's sons would enable him to dispense with some of his labourers. He thought, therefore, that any change that could be made in the condition of the rural labourers in some of the counties in Scotland must be a change for the worse. To make a change in the law of Scotland without making it general, would be a difficulty of which he confessed he saw no satisfactory way of getting rid. He thought the subject one to which the Legislature was bound to pay the greatest attention; but he must confess, for his part, that so far from feeling that he ought to have come to a decision on it some years ago, he felt, even now, that he was not at all sanguine of being able to form any satisfactory judgment on the question.

Mr. *Hume* wished to ask the right hon. Gentleman whether it were his intention that the inquiry of the commission should be extended to the whole of Scotland, or should be limited to the manufacturing districts only, as the right hon. Gentleman had observed that the law in its present state was well suited to the wants of rural districts? He was of opinion, that the inquiry would not be satisfactory unless it extended to the rural as well as to the manufacturing districts, especially as in the former the most extensive destitution had prevailed. He observed, that out of the members of the commission, there was not one individual especially connected with the large towns, or acquainted with their interests, and qualified to watch over them. He would remind the right hon. Baronet of the proceedings of the committee, which had inquired into the state of the Highlands. When evidence was to be taken by them, what did the House think was the course they pursued? The chairman was a barrister, and the committee, which was composed of men connected in interests with the landowners, passed a resolution that they would take the evidence of none but landed proprietors on the Poor-laws. A monstrous proposition he thought this; but here again were landed proprietors on this commission who might take the same course. He would suggest to the right hon. Baronet that it would be well to select two gentlemen connected with some of the large towns—Glasgow, Edinburgh, or Dundee. It was to be observed also, that the members of the commission were exclusively connected with the established Church, and in the present unhappy state of religious feeling in Scotland, it would be supposed that this was done on purpose. He would suggest that it would be better to avoid entire uniformity of creed, and that one dissenting clergyman might be added to the commission. He thought a body would thus be formed more likely to give satisfaction to the public, and gain general confidence in Scotland. He would recommend the Government to remove any doubt that existed as to the composition of the commission, as it would be a pity in any way to damage a tribunal which ought to satisfy every person.

Sir *J. Graham* would offer a word of explanation in reply to what had fallen from the hon. Member. He could assure him it was the intention of her Majesty's Government, in appointing this commission, that its inquiries should not be limited to the town population, but should be extended to every portion of Scotland. The commission would sit in Edinburgh, but would have power to move from place to place, and institute inquiries, by the subdivision of its members in all quarters. With respect to the hon. Member's suggestion as to the appointment of a dissenting clergyman, it did so happen, fortunately for Scotland, that there was little difference of creed among its inhabitants, and that the points of variance between the Church and the Dissenters were merely questions of discipline. It was somewhat extraordinary that he, who had been called on to take part in the dispute which now divided the Church of Scotland should be accused on the one hand of giving an undue preference to the Church in this commission, and, on the other of having given a decision unfavourable to her pretensions.

Mr. *C. Bruce* would state, in reference to an observation which had fallen from the hon. Member for Montrose, that he had been a Member of the committee alluded to, and could remember no such determination as the hon. Member said was come to, for confining the selection of witnesses to the class of landed proprietors. He recollected that persons of all classes had been examined before the committee. It had certainly been proposed by the hon. Member for St. Andrew's to convert an inquiry into the destitution then existing into an inquiry respecting the actual working of the poor-laws; and the same hon. Member endeavoured to obtain from the committee some recommendation for introducing a change in the existing poor-laws of Scotland. To that proposal the committee declined to consent, having been appointed by the House for another purpose, and not considering themselves competent to enter on such an inquiry as the hon. Member suggested. With respect to another point alluded to in the discussion, he begged to state that in the agricultural districts of Scotland no such thing as real destitution was allowed to exist; and though the amount of relief afforded in such cases might sound exceedingly small to an English ear, it was still sufficient for its purpose. The Scottish system had in its operation promoted individual charity and benevolence, and maintained the independent character of the workman, who was not reduced to subsist on parochial relief.

Mr. *Hume* said he was anxious to be correct, and he would therefore state that on the 3d of May, 1841, in the committee before named, it was moved by his Friend near him (Mr. Ellice), that certain witnesses be summoned to give evidence on various points connected with the inquiry. The motion was rejected by the casting vote of the chairman; so that the fact was, that the committee declined to receive any evidence but that of landed proprietors in the distressed districts.

Mr. *Mackenzie* said the resolution alluded to was come to by the committee after they considered that the subject of the inquiry had been exhausted.

Mr. *Hume* said he thought the inquiry ought to be conducted by individuals connected both with towns and rural districts, and inquired if the right hon. Baronet meant to adopt his suggestion with regard to appointing a person especially interested in the large towns.

Sir *J. Graham* said he had used his

best endeavours to constitute the commission in a manner fair and impartial, and likely to give satisfaction to the people of Scotland. Having made arrangements with noblemen and gentlemen, who had consented to serve on it, at great personal inconvenience to themselves and for the public good, it was utterly impossible for him, without reference to them, at once to change the composition of the body. He could hold out no likelihood of any such change being made, because he was perfectly satisfied that the Members of the commission would give their most candid and impartial examination of the various questions that would come before them.

Mr. *Ellice* must declare that his opinion as to the composition of the commission remained unchanged. Looking to the proceedings of the former committee, in which the landed proprietors had prevented any inquiry from being made with reference to the Poor-laws, he must say that the success of the commission was extremely doubtful, and that in the meantime it had caused great dissatisfaction and distrust.

Motion agreed to.

SYCEE SILVER.] Mr. *Hume* moved for

> "Returns of the quantity of Sycee silver and other silver imported from China in her Majesty's ship Conway; the dates of the delivery of the same at the Mint; the dates of the sales of the said silver, and amount of each sale, with the price sold at; the gross charge for melting this silver; the weight of the gold extracted therefrom, and the expense of extracting the same, with an account of what commission or charge is made by any officer of the Mint for superintending the said operation; the amount which the said gold produced, and the dates of the sales. Account of the loss or gain to the state by sending the silver to the Mint, instead of selling it in the market as it arrived."

The hon. Member said his object was to know what the Government had done with the silver they had received from China. Sycee silver contained a certain quantity of gold. Out of 433*l.* value in Sycee silver 22*l.* worth of gold had been obtained; out of 945*l.* value, 15*l.* 15*s.* of gold. He wanted to know whether sending the silver to the Mint was attended with profit or loss; he believed with loss to the public, and that the silver was also rendered much less marketable. It was important to have the result of this first operation; because, the whole 20,000,000 dollars might be subjected to the same operation. He hoped no more silver would arrive, as we were overloaded at this moment with both gold and silver, and it would be much better that the silver should be sent from China to Bengal, than that it should be brought here.

The *Chancellor of the Exchequer* had not the least objection to give the hon. Gentleman the information he wished for, except on one point, where it would not be possible to furnish it. The hon. Gentleman wished to know if loss were caused by sending the silver to the Mint instead of at once to the market. He could give the hon. Gentleman the market price for silver at the particular times; but it would have been impossible to say what depression in price might have been produced if the silver had been thrown into the market in large quantities. He could not tell what the effect of bringing it into the market might have been. It was not his fault that the silver had been remitted to this country. He had taken every means in his powor to have it sent to India; but from the rapidity with which events in China had been brought to a close, the first shipment had been made to this country.

Mr. *Hume* had not meant to impute the slightest blame to the right hon. Gentleman. The value of silver could be ascertained by the price per pound, and the return would not be complete without that.

The *Chancellor of the Exchequer* said the price by tale could be given, but the market price would, of course, have been much depreciated, if large quantities had been introduced at particular times.

Motion agreed to.

Adjourned to Monday, at a quarter past seven o'clock.

HOUSE OF LORDS,

Monday, February 6, 1843.

MINUTES.] BILLS. *Public.*—1ª· Laws concerning Attornies Consolidation; Creditors and Debtors; Law of Evidence.

PETITIONS PRESENTED. By a noble Lord, Llangyle, and Llanarmon, from the Clergy of the Deanery of Arvon, from Llanrwsh, from the Ministers of the Rural Deanery of Efwyndd, and Leeyn, from Penmachno, and Bettws Cord, from Bangor, Conway, and Beddgebert, for Repealing the Act for Uniting the Dioceses of St. Asaph and Bangor.

ANSWER TO THE ADDRESS.] The Earl of *Liverpool* informed the House that he had laid before her Majesty the Address in answer to the speech, and her Majesty had been graciously pleased to return the following answer:—

MY LORDS:

"I thank you for your loyal and dutiful Address. I rely with just Confidence on your zealous Endeavours to promote the Public Welfare, and on your Co-operation to maintain the Honour and high Character of the Country."

On the Motion of the Earl of *Shaftesbury*, her Majesty's answer was ordered to be printed, and entered on the journals of the House.

POOR-LAWS (IRELAND).] The Marquess of *Clanricarde* rose to move for certain returns relative to the operation of the Poor-laws in Ireland. He did not intend to detain the House by going into any detailed statement on the subject. He merely wished to state sufficient to give him a Parliamentary ground for moving for these papers. The returns for which he moved, were calculated to show the House the expenses which had been occasioned by the Poor-laws in Ireland; the expenses incurred in fitting up the different poor-houses; the expense of maintaining the paupers; the amount of rates chargeable on the different unions; and the present condition of the finances of the different unions. He should also move for other papers, which would tend to show the feelings of the people of the country generally on the subject of the Poor-laws. He must say, that the matter was one which required the prompt interference of Parliament. He opposed the Bill when it was first introduced, and those who had opposed it, had now every reason to believe that all the arguments which they had adduced against it were well founded, and that all the evils which they had anticipated, had already arisen from its operation. The expense was so great, that it was utterly impossible for that impoverished country to bear it. It could not, however, be denied that the alteration had done some good, but then that good bore no proportion to the charge at which it had been effected. When he got the returns — for he did not anticipate there could be any objection to them, he should be able to prove, that the greatest extravagance prevailed in the administration of the law. When the Poor-law was under consideration in that House, the noble Duke opposite introduced a provision, relative to the choice of guardians by the electoral divisions, which he opposed at the time; but he was now glad that it was introduced, because it showed more clearly than anything else the real state of the case. The consequence was, that in electoral divisions, which were heavily charged, no relief had hardly been afforded, and in others, the relief had been so small that he might fairly rate it as nought. In Ireland, it never was complained that the able-bodied poor were not willing to rely on their own resources as much as they could. The evil of the country was poverty, and he thought that the Poor-law Bill, instead of diminishing would aggravate that evil. He wished to ask the noble Duke whether it were the intention of the Government to introduce any measure on the subject of Poor-laws in Ireland. The noble Marquess concluded by moving for a series of returns.

The Duke of *Wellington*: I have no objection to the production of these papers, excepting, perhaps, the length of time which will be required in order to make them out. The last return I do not object to, though, as it relates to the employment of the constabulary and troops in putting down any resistance to the Poor-laws, it may be considered confidential. I will now answer the question put to me by the noble Marquess. Her Majesty's Government have already taken measures to acquire information upon all the points on which it appears that this law has not given satisfaction or failed to produce the good effect expected from it. This information, it is hoped, will be obtained before long, and when it is, it is the intention of her Majesty's Government to propose a bill for the alteration of the law. I must observe, that the clause I proposed in the former measure was proposed when the measure was in a different state to that in which it ultimately passed: for when I proposed the clause, the electoral divisions were to be formed out of the town lands. All I can say is, that no exertions will be spared to render the proposed measure as useful and as beneficial to the country as possible.

The Earl of *Wicklow* sincerely hoped that no alteration would be made in the particular clause which had been referred to. He was persuaded the bill would have been inoperative without that clause. Every argument which the noble Duke so forcibly brought forward was confirmed by experience. If it were not for this clause, those who lived at a distance from the workhouse would never have attended to the local business, and the whole must have been managed by the guardians residing in the neighbourhood, with the inevitable result of being turned into a job. When the noble Marquess brought forward any motion on the subject, he should also call attention to the working of the fifth rating clause. There was another unfortunate circumstance that had just occurred which would render the law inoperative, and that was the opinion of the law officers with respect to the interference of magistrates. He presumed that the Attorney and Solicitor-general were perfectly well acquainted with the law, and able to give a sound opinion, and he knew the present Attorney-general of Ireland to be one of the ablest lawyers in the country; but being no lawyer himself, he was unable to discover the ground of their opinion, which was, that no magistrate who was a rate-payer himself could interfere in any decision in which he paid the rate. The magistrates could be appealed to on their own decision; and as they inflicted the penalty for not paying the rate, the law could not be carried into effect if that opinion were well founded. It would be necessary for the Government to make some alteration in that part of the law.

The Duke of *Wellington* had heard some complaints as to the clause relating to electoral districts, and he therefore felt bound to state that it was carried into operation under the circumstances which he contemplated when he proposed it. However, at present he had no intention to propose any alteration respecting it.

The Marquess of *Clanricarde* hoped there would be no delay in making the returns, and that they would be given as soon as they were prepared. He would also wish to get a return of the expenditure of the Mendicity Association of Dublin for last year. That institution had been supported by voluntary contributions, and the same number of persons were relieved in it for 3,000*l.*, which were now relieved at an expenditure exceeding 10,000*l.*, or, as he believed, 12,000*l.*

Motion agreed to.

CREDITORS AND DEBTORS.] Lord *Cottenham* begged to lay on the Table of the House a bill which he had brought forward last year, relating to imprisonment for debt on execution. All the provisions of this bill were taken from the Report of the Committee of 1841. He hoped, before they legislated on this question, their Lordships would carefully read that Report, and not omit the names appended to it.

Lord *Brougham*: As the question was now ripe for settlement—after the bills which had already been introduced, and the two reports which had been presented—he trusted his noble and learned Friend on the Woolsack would see that some measure was proposed for consolidating the law as to debtor and creditor, and fusing into one system the whole of the acts respecting insolvency and bankruptcy. He knew, from experience, that the concurrence of Government was necessary to one very essential quality of every proposed measure—its passing.

Lord *Cottenham* said, one of the objects recommended by the report on which this bill was founded was the consolidation of the laws respecting bankruptcy and insolvency.

The *Lord Chancellor* said, it was impossible to give a distinct auswer to his noble and learned Friend until he saw how far the present bill went. He certainly had not lost sight of the accomplishment of the object to which his noble and learned Friend alluded.

Bill read a first time.

LAW REFORMS.] Lord *Campbell* hoped that a little more information would be given by his noble and learned Friend touching the law reforms intended to be introduced by the Government. The Queen's Speech alluded distinctly to such changes; and, as his noble and learned Friend must know what they were, he hoped he would state their object.

The *Lord Chancellor* said, he could not inform his noble and learned Friend, nor could he explain the course which her Majesty's Government might take, until he saw how far the bill of his noble and learned Friend went, and to what point it extended. He begged, however, to assure his noble and learned Friend and their Lordships that her Majesty's Government had not lost sight of the object which his noble and learned Friend had in view; and further, that every endeavour would be made to accomplish that object with all possible speed. The attention of the Government had been recently occupied by several measures for the improvement of the law, and for its better and more effectual administration. A most important bill had been prepared for the improvement of the ecclesiastical courts, and was now complete. This bill would shortly be laid before their Lordships. Another bill which her Majesty's Government had it in contemplation to introduce, corresponded with that which was before their Lordships in the course of the last Session relating to the establishment of certain local courts. The object of this measure was to facilitate the recovery of small claims by a more expeditious and less expensive process than was now required for that purpose. A third and most important measure was intended to effect an improvement in the law relating to insolvency, and, would, he believed, provide for the better administration of that law. He felt it was not necessary that he should go further than to say that these measures would be brought under the consideration of their Lordships without loss of time.

Lord *Campbell* had heard the announcement of his noble and learned Friend with great satisfaction, and hoped the measures to which his noble and learned Friend had alluded would be laid before the House as speedily as possible, in order that they might meet with that full discussion which from their importance they deserved. Many measures had in the last Session of Parliament been introduced at a later period than was desirable. The Bankruptcy Bill was brought forward at so late a period that those noble Lords who entertained objections to particular clauses in that measure had no fair opportunity of discussing them. He therefore hoped that these measures would not only be introduced early, but that they would be pressed forward in their progress, in order that they might come back to their Lordship's House at a conveniently early period of the Session.

The *Lord Chancellor* begged to assure his noble and learned Friend that the Bankruptcy Bill of last Session was introduced at a sufficiently early period. It was fully discussed by their Lordships, before it went to the other House of Parliament. It was there discussed fully, deliberately, and repeatedly. It was there discussed in all its stages, and for several successive nights. Indeed, he might venture to say that no measure was ever more fully discussed than the Bankruptcy Bill of the last Session. As to the suggestion which had been offered by his noble and learned Friend, he could not accede to it. He felt it to be impossible that a system so complicated and intricate as the bankruptcy law of this country could be satisfactorily administered by an ambulatory tribunal, as suggested by his noble and learned Friend. In regard to the Local Courts Bill, her Majesty's Government had used all diligence to carry that measure into a law. It had been sent down to the other House of Parlament, and was there discussed on the first and second reading, was committed and recommitted, and he (the Lord Chancellor) had never been able to ascertain the precise reason why it was not passed.

Conversation at an end.

LAW OF EVIDENCE.] Lord *Denman* said, that during the course of last Session he had introduced a bill for amending the Law of Evidence, by substituting affirmations for oaths in certain cases. That bill had, after having been read a second time in their Lordships' House, been referred to a select committee. That committee had repeatedly sat; had come to certain resolutions; had sent down the bill to their Lordships in an amended state—in which state it had been agreed to by their Lordships, and had been sent down to the House of Commons. It had been sent down to that House at a very late period of the Session, and owing to the opposition of certain parties in that House, it had not been passed; it had not even been brought under discussion. Under these circumstances, he thought he was justified in again presenting the same bill to their Lordships in the same state in which it had been sent down to the House of Commons last year, and he also thought that their Lordships would not think it necessary to enter into discussion on the subject, although, should their Lordships think it necessary, he was perfectly prepared to justify the course he had adopted. He would, therefore, lay the bill on the Table, and move that it be read a first time.

Lord *Brougham* said, that with respect to the case of the impediment which had been thrown in the way of the bill of his noble and learned Friend in the other House of Parliament (he spoke of it as a matter of history, and their Lordships might learn from the votes on the Table of the House), that opposition was not directed against the bill of his noble and learned Friend. But it so happened, that on the same night in which the bill of his noble and learned Friend was to have come on for discussion in the other House, another bill—a bill introduced by his noble and learned Friend on the Woolsack—a bill for extending to Ireland the provisions of the English ecclesiastical law, usually known as the Nullum Tempus Bill, was to come on. Of that bill, he himself approved, but he would admit that there was a strenuous opposition to it, and that there were merits in that opposition. Those who had the conducting of that opposition had taken advantage of the forms of the House, and had counted the House out on the night which had been fixed for the debate. His noble Friend's bill, and also all the other bills behind it, had consequently shared its fate; but the opposition had not been directed against the bill of his noble and learned Friend, and he trusted their Lordships would at once consent to its introduction.

The *Lord Chancellor* retained the same opinion on the subject which he had expressed last Session.

Bill read a first time.

Adjourned at six o'clock.

HOUSE OF COMMONS,

Monday, February 6, 1843.

Minutes.] Petitions Presented. By Mr. Estcourt, from Oxford, Lord Clive, from Pennants, Sir John Yarde Buller, from Exeter, Mr. Broadley, from the East Riding of Yorkshire, and other hon. Members, from Llanfihangel, Llangynog, and Maaelor Hundred, Flintshire, for the Repeal of so much of 6 and 7 Will. 4th, c. 77, as relates to the Union of St. Asaph and Bangor Dioceses.—By Mr. Pendarves, from St. Austell, and Sir George Clerk, from Edinburgh, for the Repeal of the Income-tax.—By Sir George Clerk, from Newton, for the Repeal of the Mines and Collieries Act.—By Mr. Walter, from Nottingham, for the Repeal of the Corn-laws.—By Mr. Broadley, from the Archdeaconry of the East Riding of Yorkshire, against the Abolition of Ecclesiastical Courts.—By Mr. Colville, from Alstonefield, and other places, against prolonging the power of the Poor-law Commissioners.—By an hon. Member, from Glasgow, for Ameliorating the Condition of Schoolmasters (Scotland).

Sugar Duties.] Mr. *Milner Gibson* begged to ask the right hon. Baronet opposite whether the Government intended to maintain the present prohibitory duty on foreign sugar?

Sir *R. Peel* said, that, without intending anything like personal disrespect to the hon. Member, he must decline answering his question. To do so would be inconsistent with his duty, for he might be asked a similar question with respect to every other article upon which a duty existed.

Treaty with Brazil—Stade Duties.] Viscount *Palmerston*: I rise to propose a question of which I gave notice on Friday, and to which the right hon. Baronet may return an answer or not, as circumstances may determine him. The question relates to the negotiations now going on with Brazil. In the first place I will ask whether the British Government has acquiesced in the interpretation which her Majesty's late Government put upon the article in the existing treaty with Brazil, which relates to the duration of that treaty? The next question I have to propose is, whether the right hon. Baronet thinks himself at liberty, in the present state of the negotiations now going on, to say whether those negotiations, as far as they have hitherto gone, justify him in entertaining a well-founded hope that they will lead to a satisfactory conclusion, by the ratification of a treaty of commerce with the Brazilian Government? I wish, also, to ask a question relating to another matter, and, although I have not given notice of my intention to propose it, I hope the right hon. Baronet will give an answer to it, either now or on some future day. I beg to ask what is the state of our negotiations with the government of Hanover upon the subject of the Stade duties?

Sir *R. Peel:* The noble Lord is perfectly aware, and probably a great majority of the House is also aware, that there existed a material difference of opinion between the British Government and the Brazilian Government, relative to the duration of the commercial treaty which was concluded between the two countries some years since. I understand the difference to bave been this:—The Brazilian government contended that the treaty expired in the month of November, 1842, whilst the British Government (the late as well as the present) contended that the proper duration of the treaty extended to, at least, November, 1844. The Brazilian government, for some time, strenuously contested our construction of the treaty; but at length acquiesced in it, and the existing treaty, therefore, will continue in force until November, 1844. The British Government has sent a representative on a special mission to Brazil, for the purpose of attempting to negociate a commercial treaty. If this attempt should prove successful, the treaty would not, necessarily, take effect only from the expiration of the present treaty; but it might, possibly, be so arranged as to take effect at an earlier period—of course with the consent of the two contracting parties. It would not be consistent with the present state of the negotiations to hold out any expectations of that nature. The negotiations are not so advanced as to justify me in alluding to what may be their probable result. With respect to the negotiations with Hanover relative to the Stade Duties, I must state, that the propositions made by our Government have not been acquiesced in by the government of Hanover. At present nothing definite has been determined. We maintain the ground which we assumed, and Hanover has not acquiesced in our propositions. I may add that the Elbe States are at present negotiating with Hanover on the subject.

Conversation at an end.

TREATIES WITH FRANCE AND PORTUGAL.] Mr. *Labouchere:* I am anxious to ask whether the right hon. Baronet can communicate any information respecting two other commercial treaties, which have long been the subject of negotiation between the British Government and the Governments of France and Portugal. The right hon. Baronet must feel how injurious this long suspense must be, and how desirable it is that an end should be put to it. I should be glad, therefore, if it were in the power of the right hon. Baronet, that he should give a satisfactory assurance to the House of the probable termination of the negotiations. From a late declaration of M. Guizot, that statesman appears to entertain some hope that the negotiations between this country and France may be brought to a satisfactory conclusion; and I shall be glad if the right hon. Gentlemen can confirm that declaration, or can hold out a hope that a more liberal system of commercial policy will be adopted between the two countries than that which now prevails.

Sir *R. Peel:* I concur with the right hon. Gentleman in lamenting the long delay which has taken place in these negotiations. With regard to the commercial treaty with Portugal, that delay has been most injurious to trade. At the same time, being convinced of the policy of securing to both countries the reciprocal advantages to be derived from the extension of commerce, the Government has been most unwilling to break off the negotiations. But they have remained so long in suspense, that it is now almost a doubt whether it would not have been better to close the correspondence than submit to the inconvenience of so long a delay. The negotiations are still going on. Within a few days we have received new proposals from the Portuguese government, and the time will shortly arrive when her Majesty's Government will feel it necessary to break off the negotiations, unless they can be brought to an issue. I am convinced that the delay which has occurred with respect to the negotiations with Portugal, by paralysing the wine trade, has materially affected the revenue, and is one cause of the deficiency which we have reason to lament. With respect to France, I have the satisfaction to state that negotiations for effecting a commercial treaty with that country have been renewed, and have been received with that degree of favour which leads her Majesty's Government to hope that a beneficial arrangement may be made. Her Majesty's Government feel deeply that the advantages of such an arrangement should not be confined to mere commercial transactions, but that it should be the means of cementing more closely the ties of friendly connection between the two countries, and, though I wish not to speak with undue confidence, I sincerely hope that a sense of the common interests of both countries will finally lead to more extended commercial intercourse between them.

SYRIA.]—Sir *C. Napier:* I wish to ask a question connected with the affairs of Syria. I have received a letter informing me that those persons who had their houses burned and property destroyed by our operations in Syria, have not received a single shilling in the way of compensation. I beg to ask whether Emir Beschir has received compensation for his losses?

Sir *R. Peel:* If the hon. and gallant officer had given me notice of his question, I would have made inquiry on the subject. I will do so now, and give an answer on a future evening.

AFFGHAN WAR.] Lord *J. Russell:* I wish to know whether the papers relating to Affghanistan will be soon laid before the House.

Sir *R. Peel:* The papers are rather voluminous; but I will take care that a proper interval shall intervene between the delivery of the papers and the motion for the vote of thanks to the Governor-general and the army.

SLAVE TRADE.] Captain *Pechell* said, that in the statement made the other night by the right hon. Baronet, in reference to the number of cruisers on the coast of Africa, he had said, that he should be able in two or three days to afford the information required. Since then the question had been mooted in the French Chambers, and it had been stated that the cruisers furnished by each power were to be attached to the African station alone, and that they were not to go to the coast of Brazil and to the Cape of Good Hope. It had also been stated by the Foreign Minister of France, that in the execution of the article he had stipulated for a certain number of cruisers, and had demanded that they should remain attached to that coast for which alone their warrant was issued. He wished to ask whether the Government assented to what M. Guizot had stated to have been agreed on, or whether, in the treaties of 1831, and 1833, there was any mention of a stipulation to that effect?

Sir *R. Peel* did not think that the statement of the hon. and gallant officer could be an accurate report of the Speech of the French Minister for Foreign Affairs. There had been no engagement entered into which compelled this country to limit the number of its cruisers—it was at liberty to exercise its own discretion as to what force was necessary for the suppression of the Slave-trade. The French had an equal right to exercise their own discretion in determining what number of cruisers they should employ; they had entered into no engagement to limit their number. The hon. and gallant officer asked him whether it was true that the right of search had been confined to the coast of Africa. What this country had undertaken to do was this, that when an officer was removed from one station to another, he should receive a fresh warrant, authorising him to act upon the new station.

CUSTOM HOUSE FRAUDS.] Mr. *Williams* wished to ask the right hon. Gentleman the Chancellor of the Exchequer what course had been taken by the Government for the purpose of ascertaining the frauds in the Custom-house, and whether it were the intention of the Government to lay the information on that subject on the table of the House?

The Chancellor of the Exchequer said, a commission had been actively engaged in the prosecution of inquiries, and there was every prospect that in a short period the result of its investigations would be presented to the House. He thought it right to say, that in case any part of the report should involve materials respecting which prosecutions were pending, he should withhold that part of the report until the prosecutions had been determined.

AFFGHAN WAR.] Mr. *Roebuck* rose for the purpose of putting a question to the right hon. Baronet at the head of her Majesty's Government. The noble Lord (Lord J. Russell) had asked when the papers relating to the Affghan war would be laid on the table of the House. He (Mr. Roebuck) wished to ask if those papers would include all the information that existed relative to the commencement of the war? His reason for asking that question was this: the vote of thanks which the right hon. Baronet had given notice of his intention to move, included not only the army, but the Governor-general, and inasmuch as the vote of thanks to the Governor-general would necessarily depend upon the policy which he had pursued in withdrawing the troops within the Indus, the House ought to have all possible information respecting the policy of the war from the commencement. Therefore, he would ask the righ hon. Baronet, first, if he could, consistently with his duty, submit the two questions separately to the consideration of the House; and, if not, whether he would be prepared to give to the House, before he proposed the vote of thanks, all the evidence which would be necessary to enable the House to judge of the propriety of the war?

Sir *R. Peel* said, the hon. Gentleman

would, no doubt, recollect that an intention had been expressed of laying before the House papers to a certain extent respecting the war. The papers which Government intended to produce would, he thought, afford to the House a full opportunity of judging of the policy of the withdrawal of the troops from Affghanistan. But the Government did not propose to give any other papers than should be sufficient to enable the House to form a judgment of the skill and valour of the troops and their leaders in their departure, and of the policy of the withdrawal. It was not intended to carry the information to be communicated to a period beyond that. If the hon. Gentleman would wait till he saw the papers, he would then know whether they sufficiently tended to throw light on the policy of the Government.

Poor Laws.] Mr. *Walter* said, that as the subject of the Poor-law had not yet been adverted to, he wished to know whether it were the intention of the Government to bring that question under the consideration of the House within the next fortnight?

Sir *J. Graham* said, he would take an early opportunity of introducing a bill for the amendment of the Poor-law Act; but he would not pledge himself to do so within the next fortnight.

Mr. *Walter* gave notice, that on that day fortnight he would call the attention of the House to the question of the Poor-law.

American Boundary Treaty.] Mr. *Hume:* I wish to know whether the right hon. Baronet intends to lay upon the Table copies of the correspondence which took place between Lord Ashburton and Mr. Webster relative to the boundary treaty. After what has appeared in the newspapers during the last two days, it is very necessary that the House should be in possession of it.

Sir *R. Peel:* I did not intend to produce the correspondence.

Mr. *Hume:* The right hon. Baronet says, he did not intend to do so; I wish to know whether he now intends to produce it.

Sir *R. Peel:* I have not heard sufficient from the hon. Member to induce me to alter my intention.

Answer to the Address.] Colonel *Dawson Damer* appeared at the Bar of the House, and read the following Answer from her Majesty to the Address:—

"I thank you for this loyal and dutiful Address.

"I rely with confidence on your attachment and support; and you may depend upon My constant and anxious disposition to watch with equal care over the interests of all classes of My Subjects."

Affghan War—Vote of Thanks.] Lord *John Russell* said, the hon. Gentleman (Mr. Roebuck) had asked whether the papers to be placed on the Table of the House would afford an opportunity of taking a view of the policy of entering on the war in Affghanistan. He (Lord John Russell) was not certain whether he had distinctly understood the right hon. Baronet's reply. It had hitherto been usual, when votes of thanks had been proposed, to confine that vote merely to thanks for the manner in which the military operations had been carried into effect, assuming the policy out of which these operations had resulted to be correct, leaving it perfectly free to the Members who might concur in the vote of thanks for the military operations, to question the policy, the adoption of which had led to those operations. Now, the notice of the right hon. Baronet had been given in the usual terms, and he wished to know whether it were the intention of the right hon. Baronet to propose the vote of thanks in the usual way; that was to say, to confine himself to asking for a vote of thanks for the manner in which the military operations had been carried into effect, or whether he meant to ask the House for its approval of the policy of withdrawing the army within the Indus, and of the whole of the policy of the Governor-general and the Government?

Sir *Robert Peel* said that, in moving the vote of thanks, he intended to adhere strictly to the object mentioned in the notice which he had given. He intended to confine the vote expressly to the military operations, and did not intend on that occasion to ask the House to express any opinion of approval or disapproval of the policy which had led to the withdrawal of the troops within the Indus. Those, therefore, who might be opposed to the policy of the war, might still join in the vote of thanks for the skill and energy with which the military operations were conducted. He intended, in short, to adhere to what had been the uniform practice on similar occasions; but though the papers were intended to bear on the military operations, and not on the policy of the war, yet it would be difficult to lay before the House all the requisite papers without producing enough to enable hon. Members to form their own opinions with respect to that policy. He proposed that the papers should commence at the period when the first violent outbreak took place, shortly before the murder of Sir W. M'Naughten; aud the main object in producing the papers was to enable the House to judge whether or not that public acknowledgment he should propose should be considered satisfactory. He should not invite discussion upon the policy itself; but he believed the information afforded by the papers, although they might not throw any new light upon the original policy of the war, would necessarily throw new light upon the policy of the withdrawal of the troops; although that was not his immediate object in producing the papers.

Mr. *Roebuck* felt some difficulty relative to the position in which the question then stood, and for this reason: the right hon. Baronet had introduced into one motion two very separate and distinct propositions; the one a vote of thanks to the Governor-general, and the other a vote of thanks to the troops. Now, no matter what might have been the policy or justice of the war, it would be proper for the House to vote thanks to the army. That was quite clear. But the whole policy of the Governor-general was connected with a proclamation issued by him, in which he set forth his opinion respecting the policy of the whole war, as well as his motives for the withdrawal of the troops within the Indus. He wanted to know whether the vote of thanks would include that proclamation? He quite agreed, for his part, with the Governal-general, as far as his present lights conducted him; he should be prepared to support the vote of thanks, on the ground of that proclamation. But he could clearly understand that there might be strong feelings on that side and on the other side of the House respecting that proclamation. He thought that it would not be sufficient to lay before the House those papers only which related to the transactions immediately previous to the outbreak. They should have the papers necessary to judge of the origin of the war, namely, of the policy and justice of maintaining our troops to the west of the Indus; and he trusted that the right hon. Gentleman would separate these two distinct propositions—namely, the vote of thanks to the present Governor-general, and the vote of thanks to the army; and that he would give the House every information relative to the whole series of events in India.

Sir *R. Peel* said, he thought it would then be premature to enter upon a discussion of the question. He would undertake to lay before the House such papers as her Majesty's Government might think desirable; and he would communicate them to the House some days before he would call upon the House to adopt any proceedings with respect to them. He would also undertake to give several days' notice of the precise terms of the motion he should propose. He believed that such a course was warranted by former precedents. That was the course pursued in the case of the vote of thanks to Lord Auckland, a vote of thanks which he (Sir Robert Peel) supported, although he protested at the time against being supposed to approve of the policy of Lord Auckland. Still he thought it right to give his thanks for the skill and energy displayed by the noble Lord in his preparations for carrying on the war. When the papers were before the House the hon. Gentleman (Mr. Roebuck) would see whether they were sufficient to enable him to form his views. For his (Sir R. Peel's) part, he intended strictly to follow the precedent of the vote of thanks to Lord Auckland.

THE AMERICAN BOUNDARY.] Sir *C. Napier* said, that public attention had been drawn to a map, marked with a strong red line, bearing on the question of the American boundary. Had the right hon. Baronet received any information respecting that red line?

Sir *Robert Peel*: No, but he had received another map, with a completely different boundary line marked on it.

Sir *C. Napier*: Would it not be right to produce a copy of the map?

Sir *Robert Peel*: The map is represented to be in the king's library at Paris.

Sir *C. Napier* thought our ambassador at Paris might be written to for a copy.

CHAPTER PROPERTY.] Mr. *W. O. Stanley* wished to ask the right hon. Baronet, the Secretary for the Home Department, whether he intended to introduce any bill this Session with regard to chapter property in North Wales?

Sir *James Graham* said, that he intended to introduce a bill upon the subject, and it would be the same in substance as that brought in last Session.

BOROUGH OF SUDBURY.] Colonel *Rushbrooke* rose to move, that the Speaker do issue his warrant to the Clerk of the Crown, directing the issue of a writ for the election of Members for the borough of Sudbury. The hon. Member observed, that he had undertaken his present task in compliance with the wish of his constituents, who, as they had no one else to ask, had applied to him,—"*Quoniam nemini obtrudi potest itur ad me.*" The question relating to Sudbury had been so often before the House, that he would not take up its time by again entering upon it, but would only observe, that no case had been made out to keep the borough without its representatives in Parliament.

On the question being put,

The *Speaker* said, that the hon. Member might obtain his object by allowing the amendment of another hon. Member to stand as an original motion, to which he could move, if he pleased, an amendment.

Mr. *Tufnell:* After the bill that had been unanimously passed last Session by that House for the disfranchisement of Sudbury, he had not expected on the first night of the Session notice would have been given of a motion for the issue of a new writ. The most extensive bribery was proved to have prevailed at Sudbury, but as the motion for the new writ was not to be pressed, he should make no farther remarks on the subject, but would, in the course of the evening, move for leave to bring in the bill, of which he had given notice, for the disfranchisement of the borough. In the mean time he would move that the Speaker should not issue his writ for the election of a new Member until the 20th March next.

Colonel *Rushbrooke* said he would not object to such a motion.

Motion agreed to.

Mr. *Tufnell* then moved, "That leave be given to bring in a bill to exclude the borough of Sudbury from sending burgesses to serve in Parliament." He founded his motion upon the report of the committee, who had found that gross bribery had prevailed at the late election.

Mr. *Blackstone* thought that no case had been made out which could justify the House in taking the extreme course of disfranchising all the electors of the borough. He had taken an opportunity last Session of moving that the adjacent hundred be added to the borough. This, if acceded to, would have had the effect of introducing a sufficient number of good electors into the borough. The committee had not carried their inquiry far enough to prove the general corruption of the borough. At Stafford it had been proved that of 945 electors, 804 had received money for their votes; but if they looked into the case of Sudbury, they would not find more than eight or nine cases of persons who had received bribes; and it was not, therefore, just to take away the franchise from those who had done nothing to forfeit it. He thought that before the House proceeded to this step it ought to be in possession of the fullest information. With this view, he would move, as an amendment,

> "That a Select Committee be appointed to inquire into the corrupt practices alleged to have prevailed at the last election for the borough of Sudbury, and to report the result of their inquiries to the House."

If general corruption should then be proved, he would not object to the hon. Member's bill; but, until such proof were given, he would oppose it.

Mr. *T. Duncombe* said, that when this question was before the House in the last Session he took the liberty of interposing between the hon. and gallant Member and the issue of the writ, and the House agreed with him on the occasion, and he hoped it would not now stultify itself by giving a negative to the report of the committee of last Session, and by allowing the hon. and gallant Member to steal a march upon it in the beginning of the present. The committee to which the election petition relating to the return for Sudbury had been referred had unanimously reported that gross and systematic bribery had prevailed at the last election, and that the borough ought to be disfranchised. To carry out the report of that committee such a measure as the proposed bill was necessary. When the bill was before the House in the last Session, it was first moved that counsel be heard against it. That was negatived. It was then moved that the virtue of the adjoining hundred be infused into the representation with the view of purifying it; but even that the House would not accept, and the bill for disfranchising the borough was passed, and sent to the Lords, but at too late a period to allow a chance of its passing, and it was not passed. After this, would the House consider that another committee of inquiry was necessary? Would such a committee be considered necessary, when it was already proved that more than 200 of the voters of the borough were bribed in one day? He thought an example should be made of that most delinquent borough, and he hoped his hon. Friend would press his motion.

Sir *R. Peel* thought last Session, when the facts of the case were fresh in his recollection, that there was ample reason for sending the bill for disfranchising Sudbury up to the House of Lords. Considering the unanimous report made by the committee and the evidence which they reported to the House, and as he was not aware of any new facts [*loud cheers*] which would induce him to alter his opinion, he should give his vote in favour of the introduction of the bill.

Colonel *Wyndham* approved of the course taken by the right hon. Baronet; therefore he also would give his vote against the amendment.

Amendment negatived: Main question agreed to: Leave given.

CONSTITUTION OF COMMITTEES.] Mr. *Ewart* was very desirous to improve the constitution of committees on private bills, by prohibiting the attendance on them, as Members, of any Member of the House who was interested for or against any bill. He wished to assimilate the practice of that House to the practice which prevailed in the House of Lords, where it had been eminently successful. To attain these ends he begged leave to move the following resolutions:—

"1. That it is expedient that committees on private bills should be approximated more nearly than they now are to judicial tribunals, and exempted as much as possible from all motives of local and personal interest; and that the responsibility and efficiency of committees of this House in general would be promoted by diminishing the number of Members composing them.

"2. That, with a view of attaining these objects, the number of Members composing committees on opposad private bills be reduced to seven.

"3. That such seven Members be appointed by the Committee of Selection, after the second reading of such bills; but that, previous to such appointment, the Committee of Selection do ascertain from each of such seven Members, that he is willing to serve, and that he is, neither through his constituents nor himself personally, interested for or against the bill in question; and that, in case he is unable to serve, or is interested as aforesaid, the Committee of Selection do appoint some other Member to serve in place of him.

"4. That the Committee of Selection appoint no Member to serve on more than one such private bill committe at a time.

"5. That the number of Members composing Select Committees be likewise reduced to seven; except on special cause shown to the satisfaction of the House for extending the number to more than seven.

"6. That, previous to the naming of any such Select Committee, the Member who moves for its appointment shall communicate with the Committee of Selection; in order to avoid, as much as possible, the appointment of Members to serve on such select committee who may already be fully occupied by a private bill committee, or by other select committees.

Sir *G. Clerk* could not give his assent to the resolutions proposed, because the amended system which was in practice in private committees during the last Session had worked very well, and had given pretty general satisfaction. No Member could now vote upon any bill in committee who had not attended and heard the whole of the evidence which was offered either in support of it or against it. The Committee of Selection now appointed three Members who were wholly unconnected with the locality to which the bill they were appointed to consider applied; they were, therefore, impartial judges, whose opinion had great weight. It was found very difficult, upon many occasions, to secure the attendance of three gentlemen who had no interest in or were wholly indifferent to the matter brought before them, and it would be still more difficult to secure the regular attendance of seven. Gentlemen would find it a heavy tax upon their time, and if these resolutions were adopted the consequence would be that many days would be lost and great expense incurred by necessary adjournments, consequent upon the absence of some of the gentlemen appointed. But he thought it was absolutely necessary that gentlemen locally connected with bills should be on the committees. Suppose that seven disinterested Members were appointed, and really did attend, and that the bill before them was that for making a railway; if it ran near a nobleman's or gentleman's mansion, or through his park, he had ample means at hand to employ counsel to protect his interests; but who was to protect the interests of the small proprietors? Who so well as the gentlemen who represented them in the House? Besides, the local knowledge which the Member had was often the means of explaining a point in five minutes, which counsel, who spoke only from their briefs, might have spent hours over, and left in the dark after all. Notwithstanding the many objections which had been started to the composition of private committees very few objectionable bills were passed, and they were generally bills which were unopposed. But, even with respect to them, a new system had been introduced by the hon. Member the late chairman of ways and means (Mr. Bernal), by which it was almost impossible that an objectionable bill, even unopposed, could be passed.

Dr. *Bowring* said, that these resolutions seemed to him to be recommended by sound sense and an accurate estimate of what such a tribunal ought to be. The tribunal in question ought to approximate more nearly than it did at present to a court of law. This country prided herself on her judicial tribunals, where such evidence as ought to be received was admitted, whilst such as ought to be rejected was refused, and he saw no reason why Committees of this House on private bills should not be of the same nature. He also approved of the resolution which went to reduce the number of the Members of the Committee to seven. In his opinion the responsibility of the private bills Committee ought to be greatly increased, and he thought his hon. Friend took a very accurate view of this subject by endeavouring to throw on the shoulders of every individual in the Committee every possible responsibility; all that his hon. Friend proposed was, that with respect to Committees on private bills, they should introduce the same principle and recognize the same rules as had been for some time adopted, and, he might add, with so much convenience elsewhere.

The *Chancellor of the Exchequer* entertained an opinion decidedly adverse to the motion. The hon. and learned Member placed the question on a false ground, when he represented a private Committee as a body of a strictly judicial nature. He thought it entirely different. A private Committee was appointed to discharge legislative functions, and do, with respect to a private bill, what the House itself did in the case of a public bill, taking that course which the force of opinion and circumstances pointed out as expedient. A select Committee on a private bill stood in the same situation as a Committee of the whole House on a public bill, and discharged similar functions. A judicial tribunal was not the best fitted to decide on questions of expediency. If the representatives of places or districts affected by the bills were excluded from the Committees, all these questions and discussions now disposed of in the Committees would be introduced into the House itself, to the exclusion of more important business, and the undue consumption of the public time.

Mr. *Bernal* must admit that he was not particularly enamoured of the motion now introduced, nor in love with the present mode of proceeding upon private bills. There were very great difficulties in the way, and, do what they might, the conflict of opinions to which the right hon. Gentleman had just adverted, and which he wished to avert from the time applied to public business, could not be prevented. If there were any thing like a public principle in any bill that was introduced, he defied them to get rid of that conflict of opinions; but he had long thought they should do something to radically change the present system, and he did not think it impossible to obtain one less objectionable. He considered that they should have some person in the capacity of a judge who should sit and preside over the tribunal before which opposed bills should be instituted, conducted, and finally settled, and, that there should be certain rules and regulations of conduct maturely considered and agreed to by the House by which that judge, be he whom he might, should guide the decisions of the Committee in conformity with them. When all the information was collected and decided on by that judge, who should consider whether the rules and regulations of the House had been properly followed or not, that should be transmitted with a report from the judge to the House, and then the House would have something solid and on which it could depend to place its own decision. It had often been said that a job might easily be effected by the present system of passing unopposed bills, and if any such job were in view it was only to present a petition. The bill was referred to the Committee as an opposed bill, and the job might then be effected. He much feared that his hon. Friend could not cure that defect; and, as he did not consider that the resolutions would effect any good object, he was not prepared to support them.

Mr. *Hume* approved of the resolutions which would approximate the practice of the House of Commons to that of the House of Lords, and had been recommended by former Committees. Members connected with districts from which bills were pending were now placed in a most embarrassing situation, being equally pressed by both parties to support them. He could not conceive any two cases more exactly similar than the trial of a question of property before a jury, and the trial of such a question before a Committee of that House. All the improvements which had been made in election Committees had for their object to find individuals to serve on the Committees free from local influences and party feelings. The same arguments applied to the present case; and as to the difficulty of obtaining the services of Members, was it to be supposed that in the whole House five impartial and uninfluenced men could not be found to try a question affecting a particular section of the country.

Mr. *Ewart* said, select Committees were to be considered as not legislative but judicial bodies, and the more impartial they were rendered the more of public confidence they would enjoy. Since this had been in some degree regarded in the election Committees they had been much more respected.

The House divided on the first resolution:—Ayes 27; Noes 84: Majority 57.

List of the AYES.

Aldam, W.
Bowring, Dr.
Brotherton, J.
Crawford, W. S.
Denniston, J.
Duke, Sir J.
Duncan, G.
Elphinstone, H.
Forster, M.
Greene, T.
Hawes, B.
Lawson, A.
Mitcalf, H.
Ogle, S. C. H.
Ponsonby, hn. C.F.A.
Protheroe, E.
Ross, D. R.
Scott, R.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Strutt, E.
Thornely, T.
Wawn, J. T.
Williams, W.
Wood, B.

TELLERS.

Ewart, W.
Hume, J.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
Acton, Col.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Baring, hon. W. B.
Barnard, E. G.
Bentinck, Lord G.
Blackstone, W. S.
Borthwick, P.
Botfield, B.
Broadwood, H.
Bruce, Lord E.
Bruce, C. L. C.
Buller, Sir J. Y.
Busfield, W.
Chetwode, Sir J.
Clerk, Sir G.
Clive, Visct.
Colquhoun, J. C.
Colville, C. R.
Corry, rt. hon. H.
Craig, W. G.
Cripps, W.
Divett, E.
Douglas, Sir C. E.
Drummond, H. H.
Duncombe, T.
Egerton, W. T.
Eliot, Lord
Escott, B.
Estcourt, T. G. B.
Fitzroy, Capt.
Ffolliot, J.
Forbes, W.
Gaskell, J. Milnes
Gladstone, rt.hn. W.E.
Gordon, hon. Capt.
Goulburn, rt. hn. H.
Graham, rt. hon. Sir J.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Hastie, A.
Herbert, hon. S.
Hindley, C.
Hodgson, R.
Hope, G. W.
Hussey, T.
Inglis, Sir R. H.
Jermyn, Earl
Knatchbull, rt.hn.Sir E
Lascelles, hon. W. S.
Lefroy, A.
Lennox, Lord A.
Lincoln, Earl of
Lygon, hon. Gen.
Mackenzie, T.
Mahon, Visct.
March, Earl of
Masterman, J.
Meynell, Capt.
Murphy, F. S.
Nicholl, rt. hon. J.
Northland, Visct.
Packe, C. W.
Peel, rt. hon. Sir R.
Plumptre, J. P.
Pollock, Sir F.
Praed, W. T.
Pringle, A.
Rashleigh, W.
Richards, R.
Rose, rt. hon. Sir G.
Smythe, hon. G.
Smollett, A.
Stanley, Lord
Tennent, J. E.
Trotter, J.
Verner, Col.
Vivian, J. H.
Vivian, J. E.
Wodehouse E.
Young, J.

TELLERS.

Fremantle, Sir T.
Sutton, hon. H. M.

Resolutions rejected.

House adjourned.

HOUSE OF LORDS,

Tuesday, February 7, 1843.

MINUTES.] BILLS. *Public.*—2ª· Law of Evidence.

RIGHT OF SEARCH—STATEMENT IN THE FRENCH CHAMBER.] Lord *Brougham* said: I said yesterday that I should call the attention of your Lordships to a matter of great importance—I mean the real state of the question between the United

States of America and England, during the years 1823 and 1824 on the important subject of the right of search. I am the more inclined to do so from, doubtless, the misapprehension in France of the plain and undeniable (for it was no matter of controversy) terms adopted by the Congress and Government of the United States, during the negotiations I have alluded to. This misapprehension has been fallen into by a a gentleman for whom I have a sincere friendship, and of whom I can justly say, as all who know him can bear witness, that he is esteemed, respected, and admired for his brilliant talents and his great learning, the distinguished lawyer who holds the high situation of Attorney-general of the Court of Cassation. I need hardly add that I allude to Monsieur Dupin. He has been misled into an exceedingly inaccurate statement of what took place between America and England, and (what is more important, for on this the whole question turns), between the two houses of representatives, and the executive government in America, as to the right of search. He has been misled to the extent of permitting himself to state, in his place, that the Senate of America refused to touch the question of the right of search, or to ratify a treaty on that right, under whatever form it could be presented to their attention. Nay more, that they deemed any such question inconsistent with the independence of the nation, and the honour of their flag. Now in that assertion, he and I are at issue. I am wrong in the statement I made to your Lordships, at the very same time that my learned friend was asserting the contrary in his place in that legislature, of which he is a most distinguished ornament, and I am now entirely wrong, if I cannot prove to demonstration, that not only the Senate of the United States did not refuse to touch the question under any form, on account of the supposed inconsistency of such a course with the honour of the flag and the independence of the States; not only did it not refuse to adopt the principle of the right of search, in the form in which it was presented, but it volunteered to enter into the question, and itself proposed the concession of that right of search. The Congress passed an almost unanimous resolution — first of the two houses of representatives, and then of the Senate, the one house represents all the people, the other all the property of America, embodying the public opinion of America on this question—embodying their feeling of national independence, and embodying their feeling as to the honour of the flag of America in connexion with the right of search, and that all but unanimous resolution called on the President, who rather differed from them on the subject, and who entertained some lingering prejudices with respect to the flag of his country, to overcome his scruples, and induced him, in execution of that resolution, to press on the minister of this country the adoption of the views of America. I defy any man who has read the records of the American Congress, to contradict the statement which I now make; or any man, who reads the official records of the negotiations which I hold in my hand, and which passed between the two countries on the subject, to gainsay, contradict, or, in the most minute particular, alter, affect, or modify my statement. The proposition came over, not only in the form of a despatch, but in the form of a despatch enclosing a draft of a treaty, which had been previously recommended by the Senate of the United States. Your Lordships are aware that the American executive does not represent the United States as the Sovereign here represents our country. The executive, in making peace or war here, represents the community; and Parliament can only ratify by vote that which the Crown, as the representative of the country, has determined upon. But in America, the Senate as well as the President, ratifies every treaty, and no treaty can be concluded without the satisfaction of the Senate. The executive power is for this purpose in commission. [Lord *Ashburton:* Two-thirds of the Senate must agree to any treaty.] True, and the Senate prospectively exercising the power which it might be supposed well-inclined to exercise, suggested and the President sent over the draft of a convention, which was laid before the Secretary of State in this country, a late right hon. Friend of mine, Mr. Huskisson, and a most able negotiator, Mr. S. Canning, now Sir S. Canning. It was to this effect:

> "That the cruisers of each party may detain, examine, capture, and deliver over for trial vessels engaged in the Slave-trade, and carrying the flag of either power."

Now such was the proposal sent by America, which was adopted by this country, and signed on the 7th March, 1824; and this was sent back to America for ratification by the President and Senate. It was signed by Mr. Rush on the part of America, and by Mr. Huskisson and Mr. S. Canning on the part of this country. On being sent back to America, it was there ratified with one alteration: the bounds within which the right was to be exercised were proposed to be Africa, the West Indies (including the Spanish Main), and America; but when this proposal was considered by the President, who had been an old stickler for the privileges of the American flag, whose repugnance had been overruled by the unanimous voice of his countrymen, he said (and I think with some show of reason, advocate though I am of this right)—

> "Why should you have a right to search in Baltimore or New York Harbour, where nobody pretends the slave trade was ever carried on, unless you are prepared to allow the same right to Americans in the Medway or the Thames? The principle of this treaty is that of reciprocity, and let us act on it strictly."

Therefore he struck out the word America, and the Senate ratified the treaty so corrected. The signature and seal of ratification having been thus appended to it, the treaty came over to this country, where it was rejected, but on what ground? Not peremptorily and finally, but on the specious allegation,

> "This was your own treaty—you sent us over the convention, which we adopted; and when it goes back, you choose to make an alteration which was never thought of before."

But for that trifling omission, an alteration wholly immaterial as to the principle, if possible still more immaterial to the French government because no one now dreams of any search except on the African and West Indian coasts; but for this trifling change in the bounds, this would have been the binding and authoritative treaty existing between the two countries from that time to this. Now, in order to show those who are longing to revoke the treaties of 1831 and 1833, between this country and France, on the ground that America refused to admit such a right, I will just remind them of the "universal crusade" (for such were the words of Sir William Scott, a strong supporter of the maritime supremacy of this country), which that very America entered upon in defence of, and for the promulgation of this right. And with the phrase I have no quarrel; for surely never was the cross inscribed on a more appropriate banner; never dd a Christian soldier contend more gloriously for the propagation of the gospel of peace and goodwill amongst men, and never was the spirit of that gospel more embodied in outward and visible signs, than in the negotiations which Sir William Scott was pleased to designate as an "universal crusade." Well, not only did they send their convention here, but to Mr. Everett, at the Netherlands—not my respected friend who is here at present, but, I believe, a near relative of his. They made a similar communication to another gentleman who represented them at St. Petersburgh; likewise to their representative in Austria, in Prussia, in Denmark, in Lisbon, and they even interceded with Columbia, where they were not likely to meet with so good a reception as in England. They communicated with my noble friend Viscount Chateaubriand, whom though differing widely from him in opinion, I highly respect as a man of great political consistency as well as of great genius, who, though strenuously opposed to the slave-trade himself, met their appeal with this remonstrance:—

> "Really it is so very lately we have been at daggers drawn with England; it is so very lately that victories have been achieved which we still feel the results of; our territory has been so lately occupied, that there exists a soreness of feeling among our people and in our Chambers, and we cannot venture to propose this right of search; it would be looked on as an additional 'concession' (the very word now used in France), and I should very much wish to postpone the matter for the present."

Now you will observe how important this declaration is. It utterly refutes the notion lately set up, that the treaties of 1831 and 1833 were adopted *per incuriam.* It demonstrates, on the contrary, that they were adopted *post litem motam.* So far were "maritime rights and sovereignty of the sea" from being overlooked in 1831 and 1833, that the question said to affect them was agitated several years before, and the right of search was then confirmed, because the jealousies of former years had died away, and the questiou was then ripe for such an adjustment. This state of the facts should not be lost sight of by our neighbours on the other side of the channel, to whom I acknowledge I am directing, kindly and respectfully directing, my observations rather than to your Lordships. I come back to the instructions which the United States gave her representatives at all the courts of Europe. The following was the language held by Mr. Everett at Brussels, in his note to Baron Nagel:—

> "The pretended commerce bears all the characteristic of piracy — that is of felony committed on the sea; and as it has been denounced as a crime by the greater part of civilized nations, it ought to fall into the particular class of crimes to which it naturally belongs, and undergo the penalty which usage and the law of nations impose upon it. A unanimous declaration of the Christian Powers would inevitably produce an entire cessation of the practice. The public ships of each nation would then be authorised by the law of nations to cruise against all persons who might be engaged in it, without regard to the colour of the flag under which they might pretend to be sheltered, whilst if the trade is only treated in each country as an offence against municipal laws, it would be lawful for any one nation alone, and this is the foundation of the argument, and the reason why we wish the right of search to be universally conceded—it would be lawful for any one nation alone, by permitting it, to afford an asylum under its flag to the pirates of all other nations."

If my noble Friend at the head of the Foreign department were to devise a despatch indited in the strongest and most forcible language, for the purpose of inducing other governments to coincide in his righteous undertaking, he could not employ words more apt and appropriate than those addressed by the American minister, representing the people of the United States. I do then venture to express a hope that we shall no longer hear our neighbours shelter themselves behind the example of America, and maintain they cannot ratify the treaty of 1841, and that they must revoke those of 1831 and 1833, on the ground that the United States were irreconcilably hostile to any right of search whatever. They are, on the contrary, the patrons of the right of search. They are its proposers; they are its advocates; they are its champions; they are "crusaders" (to use the language of a great English judge) in favour of that right of search which they would be the last to believe was the slightest impeachment of national independence, or exposed to the possibility of fixing the most remote stain on their national flag. I understand my Lords that the six despatches to which I have referred, as well as that containing the draft of the convention, are in the possession of the House, with the usual documents. I wish, however, that my motion may be considered as a motion for the production of them unless the papers have already been put in the possession of the House.

Law of Evidence.] On the motion of Lord Denman, the Law of Evidence Bill was read a second time.

Lord *Campbell* hoped it would be borne in mind elsewhere that this bill was universally approved of in that House.

Adjourned to Thursday.

HOUSE OF COMMONS,

Tuesday, February 7, 1843.

Minutes.] Bills. *Public.—Ordered to be brought in:—* Medical Charities (Ireland); Transported Convicts.

1°· Sudbury Disfranchisement.

Petitions Presented. By Mr. Turner, from Truro, for the Repeal of the Property Tax.—By Captain A'Court, from Clifton, and Campville, for the Extension of the Church in England. —By Mr. Ferrand, from Coal Miners of Dalkeith, and Tranent, for an Alteration in the mode of Weighing their Work.—By Mr. Hume, from Bannockburn, and Greenyards, for the Repeal of the Mines and Collieries Act.

State of the Country.] Sir *R. Peel* said the noble Lord the member for Sunderland, on giving notice the other night of a motion for Monday next, had said that he was not sure whether a notice previously given by the hon. Member for Greenock for Tuesday next might not supersede the necessity for his (Lord Howick's) motion. He (Sir R. Peel) wished to know whether both motions were to be brought on.

Lord *J. Russell* said, he could only answer for his noble friend that he would bring forward his motion on the 13th instant. He did not know what the hon. Member for Greenock's intentions might be.

Mr. *Wallace* said, his notice of motion was given previous to that given by the noble Member for Sunderland. The noble Lord had given his notice for an order day. By what good fortune the noble Lord expected to bring it on he did not know; but if the noble Lord should not succeed in bringing on his motion, he (Mr. Wallace) would certainly bring forward his on Tuesday.

Administration of Justice in Hong Kong—Consuls in China.]—Sir *G. Staunton* asked whether it were the intention of her Majesty's Government to bring any bill into Parliament, in the course of the present Session, for the purpose of regulating the administration of Justice in the island of Hong Kong, and for determining the powers and jurisdiction of the British consular agents who are to be appointed at the several ports of trade in China, agreeably to the provisions of the treaty entered into with the Chinese Government. He had received private letters from Hong Kong, stating that the greatest inconvenience resulted from the state of incertitude at present existing respecting the administration of justice.

Sir *R. Peel* said, it would be absolutely necessary to introduce some legislative measure for the regulation of courts and other matters in the island of Hong Kong. It would, however, be advisable to postpone all legislation until the ratification of the treaty had been received. He had reason to believe that the Government would soon be in possession of the opinions upon the points to which the hon. Baronet's question referred, of Sir Henry Pottinger, to whose activity and ability he was happy to bear public testimony. It was impossible for any man to act with greater moderation, discretion, good sense, energy and firmness, than Sir Henry Pottinger had done. There was reason to believe that long before the Session could be brought to a close the Government would be in possession of that gallant officer's opinion upon several important points, and it was, therefore, considered that it would be desirable to defer general legislation until then. It was possible, however that legislation upon some detached points might take place at an earlier period.

Sir *G. Staunton* expressed his gratification with the answer of the right hon. Baronet.

Church Rates—County Courts—Registration of Voters.] Mr. *T. Duncombe* wished to know whether it was the intention of the Government to introduce any measure this Session upon the subject of Church-rates; and also whether they meant to renew this Session two Bills which they brought forward last Session, namely, the County Courts Bill, and the Registration of Voters' Bill?

Sir *R. Peel* said, that a measure relating to County Courts would be introduced. With respect to Church-rates, he did not contemplate the introduction of any measure for transferring the present charge upon property, either to the consolidated fund or the ecclesiastical revenues; at the same time he did not wish it to be understood that he concluded himself altogether from legislation on the subject.

Mr. *T. Duncombe* said, that the right hon. Baronet had somewhat unnecessarily entered into a description of the measures which he did not intend to propose. All he wanted to know was whether Church-rates were to be abolished. As to County Courts, the Bill on that subject was laid upon the table last Session, in order, as it was said, that Members might digest it during the recess; now if a different measure were to be introduced, hon. Members would have been exerting their digestive powers to very little purpose during the last six months.

Sir *R. Peel:* If the hon. Member had asked him a question to that effect, he would at once have answered in the negative; but as the hon. Member had asked whether the Government intended to introduce "any measure" on the subject of Church-rates, he had considered it necessary to qualify his answer. With respect to County Courts, it was much better that the person whose duty it would be to introduce that measure should state its details, than that he should now be called upon to enter into any explanation respecting them.

Mr. *F. Maule* asked whether it was intended to introduce the County Courts Bill into this House or the House of Lords.

Sir *James Graham* said, he should take an early opportunity of giving another notice of the introduction of the Bill into the House of Commons.

Juvenile Criminals.] Lord *J. Russell* said, he had a petition to present from the Cape of Good Hope, praying that the plan of sending young criminals to the Cape of Good Hope might not be persevered in. If, as he understood, the plan was abandoned by the Government, it would be unnecessary for him to present the petition. He wished to know what Government had determined upon.

Sir *James Graham* said, it had been the intention of Government to send a small number of juvenile convicts to the Cape of Good Hope. Representations having, however, been made to his (Sir James Graham's) noble Friend, that there was a general feeling in the colony against their introduction, his noble Friend had thought it best not to carry his design into execution.

MEDICAL REFORM.] Mr. *Fox Maule* wished to know whether her Majesty's Government had it in contemplation to bring in any bill connected with medical reform?

Sir *James Graham* said, he had bestowed the utmost attention upon the subject to which the right hon. Gentleman referred. In the course of last Session the Government had been in correspondence with the two great colleges connected with the medical profession, with a view to some legislative measure affecting the profession. They were now approximating to an arrangement with those two colleges, and he trusted that he should shortly be able to introduce to the consideration of Parliament two bills, one affecting the constitution of the charter of the Colleges of Physicians and Surgeons of London, and another affecting the medical profession generally throughout the kingdom.

POOR-LAW.] *Mr. Walter* begged to ask the right hon. Baronet the Secretary for the Home Department, whether he had any objection to lay before the House a document printed about the end of 1833 or beginning of 1834, entitled, "Measures submitted by the Poor-law Commissioners to his Majesty's Ministers." It was further entitled, "Notes of Heads of a Bill altered and amended," and contained the recommendation of a course of treatment and of a dietary, gradually diminishing in quantity, and deteriorating in quality.

Sir *James Graham* said, he hardly knew the particular document to which the hon. Member referred. The hon. Member had given him notice of his intention to put this question, and in answer he would say, that no such document was to be found in the department over which he presided. He had a faint recollection that a document such as that referred to by the hon. Member had been sent as a confidential communication to Earl Grey's Government, and as such he was not prepared to consent to its production. But if the hon. Member was desirous to have it produced, he had better give notice of a motion to that effect.

Mr. *Walter* said, he would not trouble the House by any motion on the subject. He did not require the document for his own use, as he was in possession of a copy, but for the general use of the House. He was perfectly satisfied with the right hon. Baronet's answer.

DISTRESS IN PAISLEY.] Mr. *Wallace* rose to move for a Select Committee to inquire into the treatment of the unemployed and destitute inhabitants of Paisley, independent of the parochial poor, between the month of May, 1841, and the present time. It was not his intention to go into the details of that distress. What he wished at present was, to be informed of the treatment the people received at the hands of the local committee, and indirectly from the London relief committee. He had expressed his motion in such a way as to exclude from the inquiry the parochial poor within the borough of Paisley. He had no other reason for excluding the parochial poor than because it would perhaps be desirable that the inquiry into their condition should be left to the Commissioners lately appointed by the Government. He was also desirous of not alluding, upon the present occasion, to a recent resolution of the local relief committee, who had determined on excluding from the benefits of the money sent to them to distribute as charity, all Irish families whatever who had not been resident in Paisley for more than ten years. He should not then enter into the merits of that resolution, because he wished to simplify as much as possible the case to which he desired to call the attention of the House. If he could obtain a committee of inquiry, his object would be completely obtained, and he should only allude to the subject in question by saying that the number of Irish families thus excluded amounted to somewhere about 700, and the number of persons dependent upon these amounted to about 1,300; so that the number altogether was not less than between 1,500 and 2,000. Her Majesty's Ministers would take a heavy responsibility upon themselves if they refused this committee. He was there to plead the cause of an unfortunate locality; but before he did so, he thought it would be best to put it simply to her Majesty's Ministers whether they would grant the committee of inquiry which he was about to move for?

Sir *J. Graham* was sure the House would approve of the moderate and praiseworthy tone in which the hon. Member had introduced this motion. On the part of the Government, he felt bound to repeat the assurance which he had given last Session respecting this case of wide-spread, long-continued, and patiently-borne distress—namely, that it was a case which deserved the constant attention of the Government. If the hon. Member had on this occasion, sought to inculpate the Government, he should have felt it his duty to resist the motion; but he understood the hon. Member to say, that his object was not to try and criminate any party, but merely to obtain full information as to all the facts of the case—that he had no wish to carry it further, and that in the progress of the inquiry he would not go beyond the terms of his motion; under such circumstances, and considering the long-continued destitution of the inhabitants of Paisley, and the great patience with which it had been endured, he did not feel that he ought to refuse the motion. On the part of the Government, therefore, he gave his assent to the appointment of the committee. At the same time, he did not think it at all expedient to extend the inquiry into the treatment of the parochial poor, as there was already an inquiry going on by a commission into the state and treatment of that class generally in Scotland. The hon. Member had referred to that regulation of the local committee by which relief was refused to the Irish poor who had not been resident in Paisley for ten years. On the part of the committee, he must say, that some limitation must be made, and as it was necessary to make one, none could be more natural than that on which they acted—that those who had not been long resident in the locality should be the first who should be refused relief. While on this subject, he would suggest that the inquiry should extend to the relief afforded by the municipalities of London and Edinburgh. In consenting to this committee, and in tendering to it full information on the part taken by the Government, he was anxious to guard himself and the other members of that Government against being supposed to concur in an opinion expressed by a high authority at a recent county meeting in Renfrewshire, that the inhabitants of Paisley, in consequence of the long existence of distress in that vicinity, and the great and exemplary patience with which it had been borne, had a claim for relief from the public funds. No doctrine could, in his opinion, be more dangerous than that, and he was anxious to guard himself and the Government against being considered as acquiescing for one moment in a principle which he conceived to be so pernicious. In conclusion, he would suggest to the hon. Member to withdraw the other motions (relating to the amount collected in England and Scotland under the "Queen's Letter"), and all the necessary information would be given to the committee.

Mr. *Wallace* thought, that the Government had done itself great credit by consenting to the motion; and he could assure the right hon. Baronet that his selection of the members of the committee would be such as to afford a perfect guarantee that the inquiry would be conducted with the strictest fairness and impartiality. With respect to the observations of the right hon. Baronet as to what had been stated at the meeting in Renfrewshire, it was true that the claim of the destitute in Paisley to relief from the public funds had been asserted; and he had now in his possession documents to show that there were precedents for giving relief from the public funds under circumstances similar to those of Paisley. He would adopt the suggestion of the right hon. Baronet and withdraw the other motions, being satisfied that the committee would be the fittest place in which to elicit the information he desired.

Motion agreed to. Committee to be nominated.

MEDICAL CHARITIES (IRELAND).] Mr. *French* said, he had entertained hopes that some measure for the better regulation of the Irish medical charities would have been brought forward on the responsibility of her Majesty's Government. He trusted, that the most helpless class in the community, the destitute sick poor of Ireland, would have had the powerful advocacy, and the official influence of the noble Lord, the Secretary for that country exercised in their behalf. An intimation had lately been made, through Mr. Hall, one of the Assistant Poor-law Commissioners in Dublin, that it was not the intention of her Majesty's Government to propose any legislative measure on the subject of these charities during the present Session of Parliament, which induced him (Mr. French) to renew his exertions to correct those evils that, from personal experience, he knew belonged to the system under which these charities were at present administered. In taking this course, he did not conceive he was about to place himself in a position hostile to the Government. Though the noble Lord was not prepared to originate, there was no reason, if he and his Colleagues approved of the details, why they should not support a measure having for its end so desirable an object. The necessity for a change in the fiscal and other arrangements of the medical charities in Ireland had long been universally admitted; a large sum of money, upwards of 200,000*l.*, was annually raised, nominally for the relief of the sick poor, from which they derived little, if any proportional benefit. This sum would, he conceived, if secure, which it was not, and under proper management, be sufficient to attain the end sought for—that really efficient medical aid, eleemosynary aid, might be afforded to all those sick poor whose circumstances legitimately entitled them to apply for it, without any additional burthen being imposed on the country; but at present there was neither check over nor audit into its expenditure, and the extent to which the funds were misapplied would appear incredible, were not the evidence on this point so full and so satisfactory as it was. It was not necessary to detain the House by a recapitulation of the various acts of Parliament under which these institutions were at first created and still existed; it would suffice to lay shortly before them the number and nature of the medical establishments in Ireland. There were for gratuitous relief to the sick poor in Ireland 41 infirmaries, 88 fever hospitals, 626 dispensaries, 11 lunatic asylums, and 9 institutions in Dublin supported by Parliamentary grants, making altogether 774 establishments. The annual expenditure was, for infirmaries 45,006*l.* 9*s.*, of which sum 2,877*l.* was from private subscriptions, 3,172*l.* 8*s.* 2*d.* from Parliamentary grants, and the remainder made up by a grand jury assessment. For the fever hospitals, the annual cost amounted to 27,038*l.*, of which, 7,168*l.* came from private subscribers. The balance was made good by the county-rate. The cost of the dispensaries was 73,100*l.*,—34,727*l.* from subscribers, the remainder county-rate. The lunatic asylums cost 39,184*l.*, all paid by county assessment. The Dublin hospital cost 38,835*l.*, which was an annual grant from Parliament; showing a total annual expenditure of 223,165*l.* 10*s.* for these establishments. The number of persons annually relieved by them, were admitted as intern patients in the infirmaries, 18,939; in the fever hospitals, 41,694; the lunatic asylums, 2,311, and the Dublin hospitals, 12,128; showing of intern patients a total of 75,122; independent of which, according to the average of three years ending 1838, they would find 1,200,000 persons had received relief from the dispensaries. He felt confident, that all parties in the House would coincide in the necessity of institutions so numerous and so important as these being placed on a proper basis, and that the funds for their support should be applied to well-regulated and useful purposes. He trusted, that the acknowledged evils under which the country was suffering would not be increased by deferred legislation on this important subject, and that the noble Lord, the Secretary for Ireland, would not, to suit either the views or devices of the Poor-law Commissioners, consent to any further delay. It might certainly add to their chance of fixity of tenure in office could they get so important a branch of the public service as medical relief within their grasp; but this was no longer practicable, nor, if practicable, would it be desirable. In a country like Ireland, where so large a proportion of the population was placed at the extreme verge of existence, and where every failure of the crop on which they relied for support was uniformly accompanied by visitations of pestilence and famine, the establishment of well-regulated medical charities, by which the progress of contagion might be checked, became an object of the utmost importance, one which addressed itself no less forcibly to the powerful instinct of self-preservation than to the charitable feelings of every Member of the community; whether owing to the dampness of the climate or to the nature of the food on which they subsisted, the population of Ireland were frightfully subject to fever. In a pamphlet published by Drs. Baker and Cheyne, he found that in the space of two years and a half whilst fever was raging there, 1,500,000 persons, nearly one-fourth of the population, were attacked by it, of which number 65,000 died. The House had for the first time an opportunity of judging of the nature and extent of the medical aid afforded to the sick poor in Ireland; hitherto the inquiries on that subject had been partial and confined to districts — that lately carried on by Dr. Corr and Mr. Phelan had extended to every portion of the country. The report of those gentlemen clearly proved the existence of every abuse hitherto charged against the administration of the medical charities; it showed also the utmost anxiety on the part of the medical profession and the public for the immediate alteration of a system under which the remuneration of a medical officer was made to depend, not on his professional character, not on his professional services, but on the number of subscribers he had succeeded in obtaining for the institution to which he was attached—under which the public were annually forced to pay large sums of money they knew to be almost uselessly and unprofitably expended, a system under which the medical treatment of upwards of 1,000,000 persons was thrown into the hands of those from whom no professional qualification was required by the law. Strange as it might sound, there were at that moment several persons presiding over dispensaries in Ireland, not having any qualification to practice in medicine, in surgery, or in pharmacy. The distribution of these dispensaries was most unequal, owing to the necessity of a subscription being obtained previous to the formation of a charity; the poorer districts, which required them most, were left wholly unprovided; in one part of the country they were crowded together; in another there were populous districts of ten and twelve miles square without any medical establishment whatsoever; here they were in proportion of 1 to every 4,000 souls; there, 1 to 120,000. Antrim, with a population of 317,000, had 18, being as 1 to 17,606 of its inhabitants. Down, with a population of 352,000, had but 15, as 1 to 23,468. Longford had 5, as 1 to 22,511. Leitrim 7, 1 to 20,218. Whilst Kildare with a population of 108,424, had 15, being as 1 to 7,228. Kilkenny, with a population of 169,945, had 20, as 1 to 8,497. Westmeath had 17, as 1 to 8,051. Meath 27, as 1 to 6,543. The fever hospitals were as unequally distributed; in Armagh, there was 1 to 220,000 souls; in Clare, 1 to 258,000; in Donegal, 1 to 289,000; in Mayo, 1 to 366,000; whilst in Kildare they were in the proportion of 1 to 36,000; in Kilkenny, 1 to 33,000; in Wexford, 1 to 26,000; in Carlow and Wicklow, 1 to 20,000; and in Longford, Louth, the Queen's County, and Roscommon, with an aggregate population of 615,503, there was not a single establishment of the kind. There were 209 towns in Ireland, with populations varying from 1,000 to 17,000, without a fever hospital. The cost of patients in the different infirmaries and fever hospitals varied in a most extraordinary and unaccountable degree. In Longford it amounted to 3*l.* 5*s.* per head; in Wexford, 3*l.* 2*s.* 2*d.*; in Baltinglass, county of Wicklow, to 4*l.* 8*s.* 6*d.*; in Donegal, to 4*l.* 15*s.* 11*d.*; in Tyrone, to 5*l.* 13*s.* 3*d.*; and in Drogheda, to 6*l.*: whilst in Antrim it was but 1*l.* 19*s.* per head; in Cavan, 1*l.* 8*s.* 5*d.*; in Kilkenny, 1*l.* 13*s.*; in Westmeath, 1*l.* 7*s.*; and in Cork but 1*l.* 6*s.* In the fever hospitals, in the same manner, it would be found the cost of patients per head was on an average—in Clare, 19*s.*; in the city of Cork, 15*s.* 2*d.*; in the King's County but 14*s.* 7*d.*; while in Ballinasloe it was 2*l.* per head; in Cork, 2*l.* 10*s.*; in Bray, 4*l.* 14*s.* 11*d.*; and in Celbridge it rose to the enormous sum of 7*l.* 14*s.* 7*d.*, 7*l.* per head more than at Shinrone. In the lunatic asylums, the cost for each patient varied in the same manner. For instance, in Belfast, which had accommodation for 250 patients, the average cost was 16*l.* 2*s.* 6*d.*, whilst in Clonmel, which could only accommodate ninety-six, it was 25*l.* 14*s.* 5*d.* There was a great disproportion between the salaries of the officers, and the accommodation of the institutions, were calculated to afford. The manager of the Carlow asylum, which received the smallest number of patients, was paid the highest salary. Notwithstanding the 6th and 7th of William 4th, c. 116, which declared the maximum distance the medical officer could legally reside from the institution with which he was connected to be 5 miles, he found at Abbeyfeale, in the county of Limerick, that the medical officer resided at a distance of 13 miles; at West Cove, in the county of Kerry 14 miles; at Glennemada, in Galway, 18 miles; Ardare, in Donegal, 14 miles; Atlea, in Limerick, 12 miles; Dunmere, in Galway, 11 miles; Doonbeg, in Clare, 11 miles; Kilmanagh, in Kilkenny, 11 miles; Riverstown, in Sligo, 13 miles; Tarmonbary, in Longford, 13 miles; Dromore West, in Sligo, 21 miles; Arran, in Galway, 40 miles; Bingbamstown, in Mayo, 50 miles. Great as such abuses as these must appear to be, they were fully equalled by the abuses relative to the supply of medicines. He found by the report of the commissioners, page 207, that at Foxford, in the county of Mayo,—

> "There was scarcely any medicine, although the large sum of 78*l.* 17*s.* 11*d.* was alleged to have been paid for it within the year, and payment for the carriage of 30 cwt. of medicine from Dublin was charged in the account. In Dunmore, in the county of Galway, carriage of 17 cwt. of medicine within the year was charged; 9*l.* 18*s.* 9*d.* for lard, 2*l.* 8*s.* 6*d.* for candles. In West Cove, county of Kerry, the medical man was discovered furnishing incorrect accounts: charging 16*l.* 6*s.* 7*d.* for medicine, for which the druggist who supplied the institution had charged but 7*l.* 14*s.*"

In Pallaskenny, county of Limerick, the medical officer was permitted to sell the dispensary medicines, reserving to himself three-fourths of the money so received. At Ardfort, in the county of Kerry, notwithstanding the remonstrances of the subscribers, the dispensary medicines were kept in the doctor's private shop, mixed with his own. At Cookstown, in the county of Tyrone, the medicines were limited to a few articles, wanting some of the most necessary; those few thrown together in great disorder. Inquiry was made where the remainder was kept? and the reply was, there were no more; it then came out that though the gross expenditure of the institution for the last three years had amounted to 324*l.* 17*s.* 9*d.*, the cost of medicines during the same period was but 13*l.* 2*s.* 9*d.* In the Kenmare and other dispensaries the doctor was bound to provide 15*l.* worth of medicine; the remaining portion of the funds went to him for salary. In Caherciveen the doctor paid himself 100*l.*; the remainder, were it much or were it little, was to supply medicine. The commissioners stated the appearance of the stock of medicine left no doubt of the insufficient supply for the sick poor. In Killala, Ball, Letterburn, &c., though large sums were charged for medicine, the stock on hand was scanty, the bottles and drawers were empty, nor were there any arrangements by which the medicines, if ever they were there, could be properly preserved. Could there exist a second opinion of the necessity of abuses such as these being at once put a stop to? It might be urged, that by the 46th and 47th clauses of the Irish Poor-law, the Legislature had decided that the medical charities in that country should be placed under the control of the Poor-law commissioners; that the nature of the relief for which these institutions were intended was in itself, virtually, a portion of the Poor-law; that pauperism, in many instances, arose from neglected disease or accident; that, as the source was checked, so in proportion would the result be diminished; that the systems were almost inseparable. Notwithstanding the plausibility of arguments such as these, he did not mean to propose the establishment of any connection between these charities and the commissioners,—first, because the medical profeesion in Ireland had, from one end of the country to the other, protested against it; and, secondly, because he believed it would prove fatal to the charities, were they in any manner to be connected with those whose ignorance and whose arrogance had rendered them strongly distasteful to every class of the Irish people, whose cumbrous and expensive machinery could not be much longer maintained, unless the nation was to be rendered bankrupt, and the soil again, as it unfortunately had been, stained with the blood of the people. There was, however, in the bill proposed by him many of the provisions contained in that introduced by the noble Lord, the Secretary for Ireland during the late Session of Parliament. There was the formation of an unpaid board in Dublin as a central or governing body, by which the future regulations for the management and control of the medical charities would be directed —a board not having the power to interfere with the fiscal authority of grand juries, but from the nature of its duties enabled to afford those bodies considerable assistance in their decisions relating to grants of money for charitable purposes, and to secure its efficiency, it was to be a mixed board of which the President of the College of Surgeons, the President of the College of Physicians, and the Governor of the Apothecaries' Company, were to be *ex-officio* members. He proposed the appointment of four medical inspectors, at 600*l.* each per annum; in the words of the noble Lord, where the institutions appeared inadequate to the wants of the people, he proposed to give power to the grand juries to present for additional establishments, on the certificate of the Lord-lieutenant of such necessity. He proposed, that in future no unqualified person should be elected as a medical officer to any of these charities.

The sole expense of the machinery of this bill would be the salaries of the medical inspectors, a secretary, and the clerks that might be required in the office of the medical board. That expense, he calculated, would be 600*l.* a-year each for the four inspectors and the secretary, making 3,000*l.* a-year; and for office, clerks, travelling expenses, say 1500*l.* a-year more, making altogether 4500*l.* a-year. He did not consider it expedient that the country should be subjected to any additional expense for this purpose; but, as he had no doubt a very considerable saving would be effected by this means in the expenditure of the funds of these institutions, it was reasonable that those funds should contribute to this charge. He found, that *5d.* in the pound, on the average annual receipts, would give a sum of 4,600*l.*, which would be quite sufficient for the purpose. By a competent medical inspection, at uncertain times, professional exertion would, he considered, be stimulated, and efficiency and regularity in the management of the medical institutions secured; the medical officer neglecting his duties would be liable to detection and removal, a check would be established on the irregularity of his attendance, particularly in domiciliary visits, a point at present much complained of, and a stop would be effectually put to the abuses of pluralities and non-residence, in neither of which cases could the duties be fairly attended to or faithfully discharged. The want of inspection had long been felt, and during the last thirty years, various attempts had been made by Parliament to provide for it; from the want of it had resulted the wasteful expenditure of the public money, and the giving relief to those whose circumstances did not entitle them to apply for it, thereby depriving of the use of these charities their proper and legitimate objects. The principle of inspection had been adopted in the army, in the navy, in the police, and in the national schools, and had worked in the most satisfactory manner; it was equally, if not more imperatively called for, over the medical charities, and had been recommended by every person who had turned his attention to the subject. The College of Surgeons, the College of Physicians, the grand juries, and all the corporate bodies had passed resolutions in favour of it, the prayer of all the petitions presented to the House were for it—it had been adopted by the late, and was contained in the bill prepared by the present Government. From the establishment of medical inspection, he not only anticipated the advantages he had mentioned, but also others from the accurate knowledge which the central board by this means would obtain of the medical statistics of the country. They would be enabled to take precautions, and prepare measures against the sudden outbreak of contagious disease, the absence of which had frequently been severely felt. It was said, that the source of all knowledge was experience; in no branch of knowledge was it so valuable as that of medicine. If the definition was correct, that the art of the physician consisted in the accurate investigation of the phenomena of disease, and the influence of remedies upon it, it became a science of observation; how much would that science be advanced by the accumulated experience of the medical officers throughout Ireland, recorded in the tables, it would be the duty of the central board to prepare, documents which must prove a valuable acquisition to the public in general, and to the profession in particular? He should conclude by expressing a hope that the measure he had proposed would be as favourably received by her Majesty's Government, and the House, as he had reason to know it would be by the medical profession and the public at large in Ireland. The hon. Gentleman concluded by moving for leave to bring in his bill.

Lord *Eliot* did not rise for the purpose of opposing the motion of the hon. Gentleman, for he quite concurred with him that the subject was one of vast importance and deserving of the utmost attention of the House. In much that had fallen from the hon. Gentleman he entirely concurred. The hon. Gentleman had drawn a very faithful picture of the abuses which at present existed in the administration of medical charities in Ireland. He had been so strongly impressed with the number and the magnitude of the evils which prevailed, that he had been most desirous to find a remedy for them, and accordingly he desired the Poor-law commissioners to prepare a bill embodying the recommendations they had made, to him upon the subject. Certainly he considered medical relief as much a part of the Poor-law as any other kind of relief whatever—it was considered so in England, and it was administered under the regulations of the officers appointed under the Poor-law Act, and he confessed he saw no good reason why the practice should be different in Ireland. Medical relief, like relief given in any other shape, must be afforded at the expense of the rate-payers, and it ought to be administered under the same control. The bill which he had drawn up was submitted to the consideration of the profession and the country. It met with much opposition, and afterwards underwent considerable modification. He must say that that bill had not received fair consideration; and agitation was got up against it; yet those who were most opposed to it, although invited to do so, never sent in one single suggestion for its amendment. The medical profession and a large portion of the magistrates of the country were opposed to the bill, yet not one suggestion was offered. He was not prepared to agree to another bill founded upon adifferent principle, although he had no objection to its being laid before the House. He would only caution the hon. Gentleman that he would find it much easier to point out the evils and abuses of the present system than to find a remedy for them. The hon. Gentleman found that it was so; for, although he had fully stated the abuses of the system which prevailed, he had very lightly passed over the plan he proposed to substitute for it. He proposed that the whole management of the medical charities should be confided to an unpaid board sitting in Dublin, the greater part of whom were to belong to the medical profession. Now, where would he find gentlemen who would devote the time necessary to overlook the accounts of upwards of 600 charities? Unless provision was made for remuneration upon a liberal scale, it would be impossible for him to obtain gentlemen to fill the office, for it would occupy their whole time. The plan would never work. The presidents of the College of Physicians and Surgeons were to be *ex officio* members of the board; but those officers were removed every year, and of course, they could obtain no knowledge upon the subject of their duties. The hon. Gentleman had lost sight of the great grievance, which was that three fourths of the whole amount expended was taken out the pockets of the poorer cess-payers. How was that master grievance to be remedied? The hon. Gentleman proposed still to leave the power of levying such sums as they thought proper to the grand juries; but were there no longer to be any voluntary subscriptions, and, if so, how did he propose that the sums levied should be spent. When the hon. Member came to put his ideas into a practical form, he would find that they would be considered much more objectionable by the great body of the respectable population than the present system. But as the hon. Member had not stated by what machinery he proposed to carry out his ideas, it was useless to attempt to allude to that part of the subject. Thus much, however, he had thought it fair to say, to remove from the hon. Gentleman's mind any unfounded anticipations of Government support which might have been entertained.

Mr. *French* thanked the noble Lord for his frankness and courtesy, and considered that the discussion of the objections urged, many of which he was sure he could prove unfounded, had better be postponed till the bill was presented to the House.

Bill to be brought in.

THE RAJAH OF SATTARA.] Mr. *Hume* rose to move the following return, of which he had given notice:—

> "Copy of the additional papers transmitted to the Court of Directors, in relation to the Commission of Inquiry held at Sattara, in October, 1836, and ordered by a General Court of Proprietors of the East India Company, held in Leadenhall-street, the 21st day of December, 1842, and printed for the use of the proprietors."

It was not his intention on the present occasion to enter into the case narrowly; it was one, however, which had attracted a great deal of notice, and was every day increasing in interest and importance, among the Indian public. He had during the last three years moved for papers explanatory of the proceedings against the Rajah, and the treatment he had received. Since the last Session, when the last papers were produced, a variety of new matter, previously unknown had been brought forward; he then held in his hand a paper published by the India House, for the information of the proprietors, containing statements given in by the Rajah on the 26th of August, 1839, wherein he requests an inquiry into the matters it contained. These papers had been most unaccountably kept back by Colonel Ovans, the resident at the court of the Rajah, and were only now sent over in consequence of a debate at the India House, in which the Colonel's conduct was impugned. They had, also, a variety of documents which would be rendered useless if they had not all the original documents. Whatever these documents might prove—whether they might be in favour of or against the Rajah, it was but right, when he was deposed and his territories taken from him, that they should be laid before the House. He had intimated his intention to move for a Committee, in order that her Majesty's Government might direct a commission to be sent to India to institute an inquiry into this complicated subject. The Governor of Bombay, Sir George Arthur, gave his opinion that justice could not be done unless further inquiry were made. Whether that inquiry should take place in this country or in India, was a matter of opinion; but he (Mr. Hume) would prefer that the Commission was appoined in India, to hear the Rajah in the face of his accuser. He was the descendant of the, he might call them, original Mahrattas, and he was deprived of his territories without a trial. Public opinion in India was unsettled on the subject, nor would it be otherwise till a full trial took place. No native chief could be satisfied while the Rajah of Sattara was deprived of his territory on such grounds as those alleged. He (Mr. Hume) was only an advocate for inquiry—he believed the Rajah to be innocent. At a future period of the Session he would state to the House his opinion as to the best mode of doing justice to the Rajah; at present he only wished for the documents.

Mr. *B. Baring* said, that the papers for which the hon. Gentleman had moved had already been presented to the Court of Proprietors, and the Government, therefore, could, of course, have no wish to refuse the motion.

Motion agreed to.

CANADIAN POLITICAL CONVICTS.] Mr. *Roebuck* rose to move

> "That an humble address be presented to her Majesty, praying that pardon may be extended to all persons transported from Upper and Lower Canada to our penal colonies, for political offences committed during the late unhappy disturbances in those provinces."

He said, that he was aware that the task he was now about to undertake was one of extreme difficulty and delicacy, not because of either the impolicy or the injustice of the measure, but because of the mistakes and prejudices which were very rife on this subject, both out of doors and in doors. It might be said that he was about to ask the House to interfere with the ordinary course of justice; but he trusted he should be able to show them that he was not interfering with the ordinary course of justice, and that on a wide view of our policy it was in the highest degree politic that the measure he recommended should be adopted; and, furthermore, he should be able to make out that nothing but bare justice would be satisfied by the motion he was about to propose. He had stated that he would show the House that his motion would be no interference with the ordinary course of justice; but he should reserve that proposition until he came to explain the circumstances under which those unhappy prisoners left their country. He should show the House at once that justice demanded that they should return to their friends and their homes. Let him, then, entreat the House, if he showed them that so far from its being impolitic it was in the highest degree politic and wise to do that which he now asked for, not to raise any objection to it on the score of its being an interference with the course of justice. Last year, if he had brought forward his motion, he should have been in a very different position from that in which he was now. The noble Lord the Secretary for the Colonies, on the first night of this Session, declared he was of opinion that, if Canada were not held by the affections of the inhabitants, our power there could not be maintained by a hostile army. He was glad to hear that expression of opinion from the noble Lord. This declaration of the noble Lord placed him in a different position from that in which he should have been last year. Since then the conduct of those who were acting under the present Government in Canada had placed that country in a position such as it had not been in for many a year; and the people of that country were, he was certain, willing to express to the Government their deep obligation for the justice, however tardy, that had been done them. He was extremely anxious, in every word he uttered, to guard himself against giving the slightest handle to a misconstruction or misconception of anything he might say, so that no words that fell from him by mistake should do injury to the cause he wished to promote. He begged them to believe that he was not there to make imputations, and if perchance he should be in error in any one instance, let it fall on himself, and not injure the cause he was anxious to serve—the cause of hundreds who were now unhappy convicts in a distant hemisphere, far from their homes, and to which they were sent not in the ordinary course of law, but by proceedings which he regarded as highly illegal. Before he proceeded further, he must express how heartily glad he was at observing the conduct the Government was pursuing. He could not mention it without remembering that he had before asked the House of Commons to adopt that very policy which the wisdom of the Government had since deemed it advisable to pursue. But the House of Commons refused to do that which the responsible Ministers of the Crown had found it necessary to do, unless they intended to retain the colony by means of a hostile army. They had given up any such intention, and had found that they must govern in accordance with the feelings of the majority of the inhabitants. During the unhappy disturbances in 1837 and 1838, it happened after the departure of Lord Durham, when there had been an amnesty granted by that noble Lord, that various circumstances concurring led to a second outbreak. And on that second outbreak taking place, an ordinance was passed by which the country was in reality placed under military law. The ordinary tribunals of the country were silenced. The people were no longer tried by their peers, but by a court-martial. He was not mentioning these facts for the purpose of attaching blame, but to show that those people were not sent out of the country by the ordinary process of law, and that the House of Commons, if it should now interfere, could do so with perfect propriety, and without interfering with the ordinary tribunals of the country. They had not been sent away by those safeguards which the ordinary experience of mankind had taught them were necessary for the protection of society, but by an extraordinary tribunal acting under extraordinary circumstances; and now, inasmuch as they were still in a very extraordinary position, he might ask the House to depart from the general rule of conduct, which perhaps was right and proper, not to interfere with the administration of justice, but under the peculiar circumstances to beg the Crown to give to those unhappy persons that mercy which was the peculiar attribute of the Crown, which the Crown could alone award, and which could be awarded now with justice and honour. When the late circumstances took place in Canada, no man could understand the extraordinary situation of that people who did not clearly understand the state of mind which preceded those events. The unhappy circumstance of the condition of the people was this—that, some how or other, he would not now inquire whether correctly or incorrectly, there had got into the mind of the French Canadian population, a notion that the Government of this country had formed an opinion that they were an inferior race, and were possessed of an irreconcileable hatred to the English Crown. Now he did not ask how it was that they had this opinion in their mind, nor did he mean to explain the circumstances which led them to believe that there was a settled determination on the part of the Government to carry out what was termed in a sort of cant phraseology the "Anglification" of the Lower Canadian people. But so it was. They had formed this belief, and it seemed to be justified by extraordinary circumstances (into which he did not inquire), which induced them to think that the Government had formed a settled determination to "Anglicise" their country to to attack their institutions, in fact, even to eradicate their religion; to make them, in short, English in language, in habits, in thoughts, and in feeling—to make their country as if for them it had never been; as if their ancestors had never lived there, as if they had not linked with that country any one of their dearest affections; but as if it had been from the commencement a mere English colony, peopled by individuals of different language, different habits, and different religion from themselves. That was what they called "swamping" the Lower Canadian population. He would not ask whether they were right in believing that to be the intention of Government; but at all events, that was their belief. A time might come, when the description of the acts which had forced them into that belief would become necessary; a time might come when the reprobation which such a determination demanded would fall upon the authors, and when those who devised this scheme of policy would be exposed to the indignation they deserved. When this unhappy scheme of statesmanship should be brought before the proper tribunal, the country would understand the audacity and folly which gave rise to it. He would not ask by whose evidence the plan was made known; but the people of Canada entertained the opinion, that it was the settled determination of the then Government to do what they called "Anglicising" the whole of the Canadian population. This opinion created great despondency there. They were very unhappy, and they felt there was only one alternative for them, namely, either to submit to this scheme of "Anglification," or prepare themselves for a long, severe, and painful struggle with the British Government—a struggle not by arms but by the law; for they felt that the old times of Ireland were about to be re-enacted there, and that the moment was arrived when they must appear either in the character of a free people or a servile race. It was hardly necessary, perhaps, that he should speak upon this subject; but from experience, he challenged any one who knew aught about the people of Canada, aught about the turbulent continent on which they lived—he would challenge any one to refute him, when he asserted, that that country is now as if it were an oasis in the desert; that, as compared with any other portion of the American population, there they would find peace, gentleness, quietness, and patience, in the place of insolent vulgarity; they would find a polished people even among the peasantry, following and pursuing all the means of quiet enjoyment; and who were, if we had any barrier in that country against the overwhelming influence now exercised there, the sole stay for our dominion upon that continent; and the day would come, if the Government should ever again recur to the fatal policy of rendering entirely English that colony, when they would find, so soon as they had rendered it English, that it would become American; and that the very day which made it American, would be the forerunner of our expulsion from the continent. The power of Great Britain in Canada was in the peaceful, quiet, and virtuous disposition of the people of Canada, who were now rendered a loyal people. The curious state of that country when Sir Charles Bagot resorted to the wise policy which he had adopted—the remarkable exhibition which the country then showed, was calculated to instruct persons the least capable of paying attention to the changes that had taken place. The moment it was discovered that their compatriots and the leaders of the people were to be raised from their servile condition to the position of subjects under our jurisdiction, equal with any other persons—that instant, from one end of the country to the other, there was a feeling not only of triumph, but almost of piety in their rejoicings. From one end of the country to the other there was a general thanksgiving. They felt themselves relieved from an intolerable burden; but that joy and that triumph were not accompanied by anything improper or unfeeling towards that minority which had hitherto ill-treated them. Not one harsh word was uttered on that occasion. But when he said this, how was he to make the House understand it? He would give them an illustration, for the purpose of showing what was the state of the popular mind before and what was its state after. He would take, as an illustration, a man who was well known to many persons in this House. He meant Mr. Viger. He was seventy years of age. He had been a resident in that country for a considerable time, and for many years was a Member of the House of Representatives. He was a worthy, kind-hearted man, and at the age of seventy, he was, on mere suspicion, put into prison. ("Hear, hear.") The hon. Member for Liskeard (Mr. C. Buller) cried "Hear, hear;" but when he was stating a fact of this nature, he would be obliged by the hon. Member not interrupting him. When the constitution was suspended, that gentleman had been cast into prison, and remained there eighteen months. [*Mr. C. Buller:* Hear.] He was glad his hon. and learned Friend confirmed him. At the end of the eighteen months, as Mr. Viger had been brought in without inquiry, so he was turned out of prison without inquiry. He asked for a trial, but no trial was granted. He asked for an explanation, but no explanation was given; for redress, but none was given. That gentleman was lately elected a Member of the House of Representatives. Now, if it was possible to create a rancorous disposition in the human mind, it surely would have been in such a case; yet when the late change was effected by

Sir Charles Bagot, there was no man so ready and eager to hush all unwise exhibitions of triumph. He entreated his countrymen to forbear, and not to exhibit any contumelious expression of their success to any man. He was the first to set such an example to his countrymen; and the old man, looking to the few days which he had now to live, and to the days of joy which were beginning to dawn on his countrymen, was heard to repeat, in words which he considered as of touching authority, "LORD, now lettest thou thy servant depart in peace." He was the man of all others to whom they should look as a leader of the people—as a specimen of the Lower Canadians—of their piety, their forbearance, and their loyalty. In the midst of these disturbances many unhappy men—peasants almost all of them—were transported from Canada to Van Diemen's Land. He was not inquiring into the propriety or justice of sending them there. He was only asking the House and the Government, if they thought they could do any injury amongst the Canadian people by bringing back those unhappy men—few indeed as regarded the entire population, and wretched as having left their wives and children, their fathers and their mothers behind them? If they could not do any harm by stepping out of the way and bringing back these unhappy people, where would be the impolicy of such conduct? They might tell him that insurrection deserved rebuke and punishment. But it had received them already. They might tell him that he was interfering with the due punishment of criminals. He would not question that point—he would not inquire whether the punishment was due or not—but he would say the leaders of those people were now in the House of Representatives, and would ask how could they say that those misguided men should not be now brought back? He was not impeaching Mr. Lafontaine; he was not one of those to whom he alluded, and against whom no charge could be made. He was speaking of those who had returned, and were now walking the streets of Montreal, and who had been actually in arms, and had led these peasants at St. Denis. When these men were now in Montreal under the protection of the law which exculpated them, surely it would be something very inconsistent if they should appear to have been brought back as it were by accident, and that those whom they led should remain in banishment. Was this justice? Could there be impolicy in the course pursued towards those who were now in Montreal exhibiting themselves every day in the public streets?—("Name.") He knew their names, but he did not wish to tell them publicly, as it might injure the parties. He knew he was right. He was speaking of the policy of letting these poor men back. Nine out of every ten of them had been sent out of the country by mistake, having been tried by courts-martial. He could not see the impolicy of bringing back these men while their leaders were now in their (the Government) councils. By doing this complement of justice they would the Canadians for ever attached to them, much more than by the force of bayonets, and the Canadians would defend the country as they had defended it before—against all invasion. The right hon. Gentleman had begun a new course which did him honour, and did the country good. The Canadians already saw the advantages of that peaceable and successful policy. If Canada was to afford settlements for our surplus population, and markets for the surplus proceeds of our labour, she must be happy, contented, and prosperous, and she could not be happy, contented, and prosperous, unless she should continue to be governed under the principles now adopted by the right hon. Gentleman. The right hon. Gentleman had adopted a new rule—he gave a responsible Government, not in name but in reality, to the Canadians, and resorted to no stratagems, to no means, to keep them down, corrupt, or frighten them. The representative of the Government in Canada said to them,

> "You have a majority in the House of Assembly, and unless we choose to govern by 14,000 bayonets, the people of Canada, by their leaders, must be leaders of my councils."

That was language that had not been used before to them, and the French Canadians were now, for the first time, admitted, by their leaders, into the councils of their Sovereign. They had raised a noble structure, and he now only asked them to put this coping-stone on the arch, by bringing back that remnant of the misguided population, and binding them to Great Britain for ever by the strongest ties of love and gratitude. How could they refuse this boon, when they considered all the circumstancss of the case? Under the former system of Government they had been driven to the adoption of military law, and under that law they had expatriated these men. But now, when under a different system they found them a quiet, loyal, and virtuous people, and the firmest supporters of their power on that continent, he begged and prayed of them to make one step more in advance—to forgive their past excitement, and grant what they prayed. He besought them to grant this motion, and to implore her Majesty to extend her mercy to this unfortunate fragment of the population, that they might be restored to their friends and families.

Lord *Stanley* regretted that he felt it to be his duty to interpose between the exercise of that which was the highest prerogative of the Crown, the exercise of mercy, and those unhappy men who had transgressed the laws of their country. He was well aware of the impression produced on the House by the forcible and temperate manner in which the hon. and learned Gentleman who had opened this question had appealed to their feelings on behalf of those who were now suffering under a sentence imposed upon them under extraordinary circumstances; but he must not shrink from the performance of his duty, however painful it might be, and he did earnestly hope that the House would not be so far led away by the eloquence of the hon. and learned Gentleman as to induce them to take a step which the hon. and learned Gentleman admitted to be one of a most unusual character, namely, to interfere with the prerogative of the Crown, and take into the hands of the House of Commons that grace and favour which, if bestowed at all, ought to emanate exclusively from the Crown. He was sure that under any circumstances it would be most unfavourable and most inexpedient that the House of Commons should interfere with those functions and that prerogative of the Crown; but under the circumstances which the hon. and learned Gentleman had himself detailed, he thought that even if the constitutional objection did not prevail, the objection of discretion as to the time and circumstances under which the motion was made was one that must have peculiar weight with the House. The hon. and learned Gentleman had told them that by the recent changes in the councils of Canada universal contentment had pervaded the people formerly dissatisfied, if not disaffected to this country, and that with the Administration as now formed in Canada the French Canadians—of whom the hon. and learned Gentleman appeared exclusively to have spoken in the address he had just made to the House, but who in reality formed a very inconsiderable portion of those to whom his motion referred; he said that at the moment when the hon. and learned Gentleman told them that that portion of the people was entirely satisfied with the just, equitable, and judicious course, as he considered it, which her Majesty had thought fit to pursue in Canada, he thought it would be most unwise that the House of Commons, upon the motion of the hon. and learned Gentleman, should recur to topics of difference and dissension, should revive the subject of former contests, and should interfere with a Government with which the whole people, as the hon. and learned Gentleman had told them, entirely concurred. When Sir C. Bagot first went out to Canada, the instructions given to him on the part of her Majesty's Government, were, that in the administration of the law and in the selection of those to whom he might think fit to call to his councils, no distinction of origin or race should be made, but that all men of all parties, of different origin and race, should combine together in that which was to be the great object of his policy and government—forgetting and passing by recent transactions and recent animosities—should combine together for the advantage of those great provinces which her Majesty's Government —he thought advisedly—had united under one Government and Council. He thought, therefore, that in the main—in all the essential features of the case,—Sir C. Bagot since is appointmehnt had acted entirely and cordially in concurrence with her Majesty's Government. It was in pursuance of the policy they pointed out—in pursuance of that determination they had taken to know no distinction of race or origin between those who were willing cordially to co-operate with the Government for the advantage and welfare of the colony. He was very unwilling to go back to the period at which the affairs of Canada were very different from what they now were. He would not go back to a period when the difficulties in the course of the Government—difficulties of which no man was more aware than the hon. and learned Gentlemen—presented themselves at every turn from the conflicting views and the geographical position of the two provinces which he thought ought never to have been disunited, but being separated, it was impossible, in these days, with regard to British interests and the connexion of that country with this, that the affairs of the Lower Province, interposed as they were geographically between the Upper Province and this country, could be carried on without the accordance of that portion of the people who numerically were by far the largest, and who had wishes certainly in many respects at variance with British interests. But the two provinces of Canada were united; the difficulties formerly interposed, whatever other difficulties might have arisen, were at once at an end; from that moment there was no fear of the British population being overwhelmed by the dominant race interposed between themselves and the sea and communication with the mother country. From that time there was no reason why in the affairs of Canada this country should not feel herself bound to act upon the principles upon which, in all other colonies with legislative assemblies, she had felt it necessary to act—namely, to carry on the Government in accordance with the views and sense of the great bulk of the population, that without entering into the abstract theories which were put—and he thought needlessly—of a responsible government, and how far the Colonial Assembly must be overruled by the Parliament of this country, it was at once the duty of the British Government frankly to act upon the maxim of carrying on the Government in accordance with the views of the great bulk of the people, and in support of the great interests of the province; but in admitting that principle he hoped the hon. and learned Gentleman would not be so unjust to the great body of French Canadians as to think that because they were justly entitled to obtain a share in the administration of the affairs of the province, that determination so to introduce and admit them involved, as a necessary consequence, the utter oblivion of the crime of treason and the necessity not to vindicate the power of the law against those who had placed themselves in arms against the established Government of the country. He joined with the hon. and learned Gentlemen in the commendation he had bestowed on the fairness, moderation, and temper, with which the French Canadians had borne their elevation to a share of power. He believed there had been evinced among them a most cautious abstinence from everything that would excite an angry feeling, and he did cordially expect that universal harmony would hereafter take the place of discord, and that the colony would increase in wealth and happiness. But if the doctrine of the hon. and learned Gentlemen were now to be adopted—that, because the French population had been admitted to a share of the administration, that therefore those, whether French, British, or citizens of the United States, who are now suffering the sentence of the law for an aggravated act of treason were to receive at once, without discretion, her Majesty's free pardon and the benefit of a full amnesty and oblivion—he did say that those who in both provinces had stood loyally by the Crown—those who boldly repelled the hordes of plunderers from the neighbouring states who entered Canada, and burnt and destroyed the property, and sacrificed the lives of many of her Majesty's subjects—those who stood forward and denounced rebellion and treason within, and repulsed the lawless bands of invaders from without, would have reason to complain, and might sorrowfully ask, where was the remembrance of all these things—that their support and exertions should appear to be lost sight of; and that those who were now suffering very moderate punishment for their crimes should be restored to society, and at once placed on an equal footing with those who had never swerved from their duty. The hon. and learned Gentleman said they were mostly French Canadians. [Mr. *Roebuck:* Mostly peasants.] Well, then, if they were not mostly French Canadians, where was the argument of the hon. and learned Gentleman who complained that the pressure upon them entirely led to this state of disaffection?

Mr. *Roebuck* was sure the noble Lord did not intend to misunderstand him; but he never uttered one syllable to show why they entered into a state of rebellion.

Lord *Stanley* certainly thought that every hon. Gentleman who had just heard what the hon. and learned Gentleman had said would have thought he was speaking in favour of the French population, and that they had entered into rebellion in consequence of the pressure upon them.

He would not enter into the question with whom this insult, this injury, this offence, which the hon. and learned Gentleman spoke of under the term of "Anglification" of the country, had originated. There could be no meaning of the anglification of the country as to the British population. It was the French population, and those only, to whom that doctrine applied; and the whole of the hon. and learned Gentleman's speech turned upon that—that it was in favour of the deluded French population that he was now arguing in the presence of the House. But the hon. and learned Gentleman would not deny that in speaking of those unhappy deluded men, they had visited upon them that punishment which ought to be visited upon their leaders, and he said, "The leaders of these poor deluded people have now obtained places in your legislative council." [Mr. *Roebuck:* The leaders of the people, not of the French people.] The hon. and learned Gentleman ought not to go so far as to state that those persons who led these people to revolt—who had been their leaders in rebellion—did now occupy places high in authority. [Mr. *Roebuck:* I never said one word of the kind.] The hon. and learned Gentleman must excuse him, but he took down the words, and his statement was "those whose leaders are now in our councils," and then the hon. and learned Gentleman qualified it by the exception of M. Lafontaine, and said, "but when I make use of this expression, I do not mean to include M. Lafontaine, against whom all the world knows there was not sufficient evidence to bring forward a charge, or even the shadow of a suspicion." Then the hon. Gentleman spoke of individuals who, under the protection of the act of exculpation, were walking about Montreal perfectly free. If he was not mistaken, the hon. Gentleman alluded to eight persons in particular? [Mr. *Roebuck*: Yes.] The hon. Gentleman alluded to eight persons who were found guilty, and ordered to be transported to Bermuda, but who, on Lord Durham's ordinances being declared illegal and unconstitutional, necessarily escaped punishment. Why, surely, the hon. Gentleman did not pretend to draw from the case of those persons his argument, that while the Government seized upon the inferior victims they allowed to pass with impunity those who from their superior station ought to have been also punished; and, whatever fault the hon. Gentleman might have had to find with the Administration of the present or of former Governments in Canada, he could hardly be prepared, considering the magnitude and extent of the rebellion in Canada, to say that there was any great severity in the punishments, or that the penalties inflicted were, under the circumstances, disproportionate. The rebellion in Canada first broke out in the winter of 1837, and for that rebellion no persons were put upon their trial. In June, 1838, the rebellion having been suppressed in a short time by Sir John Colborne, now Lord Seaton, Lord Durham thought it advisable to take the most merciful view of the case, and passed a general amnesty as regarded all persons who had taken part in the rebellion in Lower Canada, with the exception of the eight persons to whom the hon. Member referred, and also of sixteen others, who, having fled from justice, were called on by proclamation to take their trial, and, failing to do so, became subject to the penalty of outlawry and attainder. These were all the penalties that resulted to individuals on account of the Lower Canadian rebellion of 1837 and 1838. In 1839 the rebellion in Upper Canada took place, and there were two executions in consequence of it. The parties executed were named Matthews and Love—persons who were taken in open rebellion, under the most aggravated circumstances. [Mr. *Roebuck:* No, no.] In June, 1838, just at the time Lord Durham was proclaiming the amnesty in Lower Canada, there came another irruption from the United States; and, in the course of the summer, there were two other irruptions of Patriots and Sympathisers, as they called themselves. A considerable number of persons were taken in arms against the Crown, and a number of persons were put upon their trial; but, although those invasions were marked by circumstances of peculiar atrocity, one person, and one only, was executed on account of them. Four others there were who were taken in arms under most aggravated circumstances, and they were sentenced to death, but Lord Durham recommended that their sentence should be commuted to transportation for life. Those four persons were amongst those for whom the hon. Member asked for an undiscriminating act of amnesty on the part of the Crown. A general amnesty was afterwards passed in October, 1838, with the exception, as in the case of Lower Canada, of sixty-one persons who did not come in to take their trials. Those several acts of amnesty were passed, the one in the month of June, and the other in the month of October, 1838; and certainly at that period, no man could have said that there had been any great severity of punishment on the part of the Crown. Yet what followed? Why, on the 3rd of November in the same year, there broke forth simultaneously an irruption into Lower Canada and a rebellion within the province, and an invasion of Upper Canada by persons from the United States. Not a fortnight elapsed before the whole country was again in a flame; and before the winter, the colony was made a scene of horrors at the thought of which the mind recoiled, and which he would not disgust and weary the House by describing. But, even under these aggravated circumstanes, was it a fact that any great and undue severity had been exercised? In Lower Canada, after the second rebellion, there were arrested altogether 855 persons. They were arrested under various circumstances, and the evidence against many of them was not such as to justify prosecution. In Upper Canada there were arrested between 1,100 and 1,200 persons. Out of those arrested in Lower Canada, Her Majesty's Government brought only 106 to trial. But the hon. Gentleman complained that the trials of those 106 took place by court-martial. Unhappily the hon. Gentleman knew too well, and particularly he might remember the case of the murderers of Lieutenant Weir—that if the Government had proceeded by any other means than by court-martial, it would have been, under the circumstances of the case, but a mockery of justice; and the result would only have been to afford a triumph to men, who, though unconvicted, were notoriously guilty of treason. Of those who were tried, ninety-eight only were found guilty, of whom twelve were executed, and fifty-eight were transported. The hon. Gentleman would fain have the House believe, that the great bulk of those who suffered were French Canadians of the Lower Province. What was the fact? Why, that out of 2,000 persons arrested in Upper and Lower Canada, there were executed in Lower Canada twelve, and, if his memory were not at fault, in Upper Canada, seventeen. That was the total number of persons; and he need hardly say, that the Government selected the most aggravated cases, and those that were made out by the clearest evidence. Of the whole 106, seventy-eight were from Upper Canada, persons who could not possibly be connected with the French Canadians; and he was bound to add, that of those persons also there were many who owed no allegiance whatever to the British Crown; and who, without having any authority from the government of their own country, were engaged in a murderous, predatory, and buccaneering warfare. Such were the persons on whose behalf the hon. Gentleman called upon the Crown to exercise indiscriminately the prerogative of mercy. He did not mean to say that there were not others among the convicted persons whose cases were more deserving of consideration than those of the persons to whom the hon. Gentleman had referred, but what he did complain of was, that the hon. Gentleman made no distinction between the ignorant peasant of Lower Canada, struggling under mistaken views for relief from unknown grievances, and those persons who, consulting nothing but their own treasonable dispositions, their lawless wishes, and their thirst for blood and plunder, did without any palliating cause invade a peaceful province, and deluge a whole country with blood. As a responsible adviser of the Crown, he could not advise her Majesty to take the case of those persons into consideration. An address of the legislature of Canada strongly recommended her Majesty to extend an act of amnesty to all parties concerned in the late rebellion; but the hon. Gentleman stopped short of this. The hon. Gentleman should have gone further still. Why did he ask for an amnesty towards those alone who, having given offence, were now suffering the penalty of their offences? Why did he not extend his demand on behalf of those who from fear of the possible consequences of their actions suffered a voluntary exile, and had never appeared at all to take their trial? Why did the hon. Gentleman limit it to one class, and that the most guilty of all? The Canadian legislature recommended an amnesty to all, but the death of Lord Sydenham prevented that address from reaching this country, and it was only in November of the last year that he (Lord Stanley) received a copy of it from Sir Charles Bagot. On its receipt, he wrote to Sir Charles

Bagot, pointing out the number of persons who were compromised in different degrees in the late rebellion,—those who were under attainder and outlawry for not coming in to take their trial,—those who were excepted from the amnesty, though not convicted of any crime,—many also in the province, against whom no steps had been taken, but in favour of whom it was desirable to extend the clemency of the Crown, and those also in favour of whom the hon. Member's motion was now made, without any distinction of their degrees of guilt. Some of these had been transported for seven years, some for fourteen, and some for the period of their natural lives. The sentences of some had been commuted, although their offences were of the most aggravated kind, such as warranted the Crown in visiting the severest penalty of the law; yet it was proposed on behalf of these different persons to interfere with the prerogative of mercy, and ask the Crown to grant pardon to all, without inquiry, and without any discrimination of their different degrees of guilt. He hoped he had not said anything that could imply a doubt on his part of the truth of that effusion of loyal feeling on the part of the population of Lower Canada to which recent events had given rise. He did not feel, in any degree, the slightest reluctance or hesitation in approving of the course which circumstances had rendered it necessary for Sir Charles Bagot to pursue; but, at the same time, he was loth, at the very moment when we were taking such steps—when we were giving to the Canadians the practical benefits of a free constitution—that we should couple with it an act which would amount to a triumph of sedition and treason, which would bring back those persons, whether they were Canadians or British, or those who had been Americans, who had justly subjected themselves to the penalty of the law, and with regard to whom her Majesty would not be left to form a judgment of their several claims according to the information that might be laid before her, and so to extend the mercy of the Crown according to the nature and degree of their several offences and the punishment they had already undergone. He did hope and trust that the House of Commons would not, in regard to such persons, attempt to take the function and prerogative of mercy out of the hands of the Crown, and, by interfering in cases where gradations of offences and punishment existed, and no unjust punishments had been inflicted, at the same time compromise political affairs in Canada. For these reasons he did hope the House would not agree to the motion of the hon. Gentleman, while her Majesty was prepared to receive representations in each individual case, and to act with the utmost leniency towards those persons who were in the colonies: and here he might add, that out of those who were convicted those who were not imprisoned had tickets of leave, which amounted to comparative freedom. While this was the view taken by her Majesty's advisers he could not at the same time assent to a motion which had for its object the interposition of an undiscriminating mercy, and the reintroduction into a peaceful country of a body of those convicted felons.

Mr. *Hume* supported the motion of the hon. Member for Bath. Sir Charles Bagot himself had recommended that all past differences in the province should be buried in oblivion. He recommended, that the future Government of the country should be carried on in a conciliatory spirit. Could that be interpreted in any other way than that there should be a removal of all the irritation and excitement which would be kept up by the relatives and connections of these unfortunate men in Van Diemen's Land. It was a fair inference, from Sir C. Bagot's conduct, that he thought an amnesty should be granted. These men were the victims of bad Government, and for that reason the right hon. Baronet deserved the thanks of every friend of humanity for the change he had effected in giving a good Government to the Canadas. It was an opposite course of policy that had raised all the angry feelings they had seen excited, till at last actual rebellion prevailed. The Government would do well to complete the good work they had begun. In every case of this kind, there were different shades of guilt, but as the Government had admitted the evils arising from the former mismanagement, he hoped it would come round to give the people that which alone was wanting to give full satisfaction. The hon. Member for Bath had only recommended the House to follow up the advice of Sir C. Bagot, that no remains of this unfortunate feeling should be allowed to exist. He admitted, there was some force in the argument of the noble Lord, that there was an evident distinction between the cases of the men who rose in Lower Canada, being natives of that province, and those who entered it from another country, perhaps only for purposes of plunder. He admitted, that an indiscriminate pardon to these men would be unjust, but still they must balance the inconvenience of their remaining as they were, against the effect of granting a pardon. He thought, that where there was a doubt, mercy ought to prevail. If his hon. Friend had satisfied them of the recommendation of Sir C. Bagot, and had proved that the whole united population of Canada asked the boon, he submitted that it would be a wise policy to advise her Majesty to grant a pardon to these unfortunate men. Agreeing, as he did, with his hon. and learned Friend, in his desire to see the mercy of the Crown extended to those unfortunate persons ; yet, perceiving the decided opposition with which the motion had been met, he could not advise his hon. and learned Friend to take the sense of the House on his Motion. He had elicited from the noble Lord one most important statement, — namely, that the noble Lord was ready to consider, individually, every case.' That was yielding in no inconsiderable degree to the desires of his hon. and learned Friend. He regretted that mercy could not be extended to all ; but, under the circumstances, he advised his hon. and learned Friend not to press his motion.

Mr. *C. Buller* had never seen any notice of motion with deeper regret than that of his hon. and learned Friend, because, though he entirely concurred with him in the practical object he had in view, and considered that it would be an act of the wisest policy as well as an act of mercy, and, of enlarged justice in the Government to wipe out all traces of the late disturbances in Canada—still he could not but think that his hon. and learned Friend had taken a course by no means calculated to attain the object he had in view. It was, of course, with the greatest reluctance that he referred to any of the circumstances connected with the rebellions in Canada. There were associations connected with them of which he could never think without infinite regret, and which led him at the present moment to abstain from alluding to the horrors of that insurrection. He should object to the motion of his hon. and learned Friend in any case, as being an interference with the prerogative of the Crown, which was better left to act, as it was always ready to do, on its own spontaneous good-will ; but he objected to the motion, also, because, on principle, he was opposed to the interference of the Imperial Parliament in colonial matters, except in cases of absolute necessity, and as a last resourse against an ill-disposed Government. He must say that he could see no such necessity in the present case. There was no case made out of the government of Canada obstinately resisting the feeling of the people, or the expression of the Legislature of the province. On the contrary, he was bound there publicly to give his strongest approving testimony to the policy which had recently been pursued in Canada. He was afraid he should only do it harm in the eyes of a majority of that House if he were to say that he claimed a portion of the credit for others ; and he would only say that he regarded the recent arrangements which had given so much satisfaction as the natural consequence of the union of the two provinces. [Lord *Stanley*: Hear.] — which settled those unhappy questions of nationality that had given rise to the disturbances in one of those provinces, and added strength to the local Legislature. These were the circumstances which had rendered it absolutely necessary to have an executive in harmony with the Legislature. But it depended on Sir C. Bagot, the present Governor-general of Canada, and on those who had sent him out, to determine in what way he should meet the new necessities imposed upon him,—whether he was to struggle to conduct affairs as former governors had done and oppose for a while an unavailing and mischievous opposition to the will and power of the people speaking through their Legislature, or cheerfully and at once accept those necessities, and without a struggle adopt a new and better and more liberal system, in such a manner as to conciliate the good-will of the people, while he yielded to their inclinations? He was bound to say that Sir C. Bagot's government had taken the wiser and safer course ; that he had, in a manner which could never be more than sufficiently commended, adopted the right course, and in the best possible way. The past acts of the present Government in Canada inspired him with confidence in their administration of the affairs of the province, and he looked to the future with equal security, because he saw in the appointment which her Majesty's Ministers had lately made—an appointment influenced by no party feeling, but resulting from a wise selection of the very fittest person that could be found in the country for so arduous an office—he saw in that appointment a guarantee that the Government of Canada would be conducted on just and sound principles. He must say, then, there was nothing in the conduct of the Government at home, there was nothing surely in the state of affairs in Canada, nothing in the working of the new system, tried and proved by the recent appointments, nothing in the conduct of the people, which had been so eloquently and truly described by his hon. and learned Friend— nothing above all, in the preceding acts and general public conduct of the new Governor, that could create any distrust of his intentions. He would not now enter further into the question; indeed, he thought the noble Lord had entered rather unnecessarily into some of the details. Having sent such a man as Sir C. Metcalfe to govern Canada with a free Legislature, and an Executive in harmony with it, their obvious duty was to leave him as unfettered as possible. Their opinions in this country, wise as they might be, and guided by the most enlightened principles, could have no weight in his judgment compared with those which an enlightened Governor would form on the spot when conversant with the circumstances with which he had himself to deal. He wished to inculcate upon both sides of the House that in this case there was no reason for distrust; on the contrary, that the exercise of the largest trust, the fullest confidence, was the safest and most prudent policy for them to follow. If he found his expectations disappointed—if the course which he thought absolutely necessary for the safety and harmony of Canada was obstinately rejected by the new Governor-general or by the Government, he would join his hon. and learned Friend in interfering to arrest their progress; but so convinced was he that the circumstances of Canada were such as to make an instantaneous impression on the mind of the Governor-general, and render absolutely necessary that course which he was sure would accord with his own just, humane, and merciful disposition, that he felt not the slightest hesitation in leaving matters entirely with him and the Government, in the perfect confidence that the House would never again be called upon to interfere with the subject. Under these circumstances, he did hope this motion would be withdrawn. He should now sit down, but for a personal allusion that had been made to him in the speech of the hon. and learned Member for Bath. He wished that hon. and learned Member would be a little more cautious when he thinks it necessary to attack persons, and that he would make himself thoroughly acquainted with the facts before he comments so severely on them. He could not avoid cheering the observation which his hon. and learned Friend had made with regard to the respectability of that aged gentleman, Mr. Viger, who had certainly been imprisoned for a very long period. In consequence of this cheer, his learned Friend had thought proper to take him to task for not having, while in office, released Mr. Viger. Now he could not discharge this gentlemen from prison for the best of all possible reasons, because Mr. Viger never was in prison during the entire time he was in Canada.

Mr. *Roebuck,* in reply, contended that his motion would by no means interfere with the prerogative of the Crown, inasmuch as he merely called upon the House, by an humble address, to pray her Majesty to exercise it. He denied having said that the leaders of the rebellion were in the councils of the Crown; what he had said was, that the leaders of the people were in the councils of the Crown; and it seemed hard, consistently with justice, that the poor uninstructed Canadians should still suffer the penalties of the law. He acknowledged that the noble Lord had pointed out one error in his motion, and that it must be confined to such prisoners as were subjects of her Majesty, leaving the American freebooters, as the noble Lord designated them, to be dealt with on separate grounds. He should, however, withdraw his motion, his object having been obtained by the engagement of the noble Lord to pay attention to such circumstances in each case as should be brought before him.

Motion withdrawn.

House adjourned at a quarter to eight o'clock.

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HOUSE OF LORDS,

Thursday, February 9, 1843.

MINUTES.] BILLS. *Public.—Committed and Reported:*— Law of Evidence.
Private.—1ª· R. Jackson's Divorce.

RIBBONISM (IRELAND).] Earl *Fortescue* said, before he put the question, of which he had given notice, perhaps he might be allowed to state, very shortly, to such of their Lordships as were not present, the circumstances which induced him to trouble them on this subject. At the spring assizes of last year, in the county of Armagh, certain persons were prosecuted and convicted of ribbon offences, and in the course of the trial, one of the witnesses for the prosecution named Hagan, stated in the course of his evidence, that he had been apprehended himself on a charge of ribbonism, in the August of the preceding year; that he had been let out on heavy bail, and had been at large from September 1841, to February 1842. He stated that during that period he attended meetings, wrote ribbon letters, and, in short, used every effort to entrap persons into the ribbon plot. And, he added, that all this had been done with the knowledge and approval of the provost and magistrates of Sligo. When he made this statement, the noble Duke (the Duke of Wellington) declared his intention to institute an inquiry into the facts deposed to by this man. The noble Duke added, that while he entirely disbelieved the man's statement, he felt (what every body who knew the noble Duke must be certain of) the greatest abhorence and reprobation of any such practice. It was his belief, the noble Duke said, that an inquiry had been set on foot by the Irish Government, into the conduct of the magistrates: and he was persuaded that if they had been found to have sanctioned such a practice, they would be visited with the severest censnre and reprobation. The question which he wished to put, was, whether this inquiry had been made, and what was the result.

The Duke of *Wellington*: The facts were exactly as stated by the noble Lord opposite. A person named Hagan, who had been imprisoned, was a witness. He was not imprisoned, however, on a charge of ribbonism, but on that of illegal combination, to prevent another man from working. When in prison he gave information to the provost and magistrates with respect to ribbonism. He was allowed to go at large on bail for the offence of combination. It was certainly true, that he gave the evidence stated by the noble Lord, and in consequence thereof an inqniry had been instituted; but the officers who conducted the inquiry, and the highest legal authority in Ireland, were of opinion, that there was no foundation for the charge against the provost of Sligo and the other magistrates. One of the magistrates had been dismissed, but for conduct distinct from that charged by the noble Lord. There was, no doubt that the magistrates had had no cognizance of the conduct of this man, nor had they given any encouragement to it.

Earl *Fortescue* was sure that the whole of their Lordships must be extremely happy to hear that the facts sworn to by Hagan had been satisfactorily cleared up. He begged to move that the return of outrages reported by the Irish constabulary for July 1842, which was ordered by the House on the 8th of last August, but not delivered, be delivered forthwith; and that the like returns for each subsequent month, to the present time, be laid before the House, and be continued to the close of the Session: he thought this would give every information on the subject. He begged to say one or two words on another subject. When he addressed their Lordships at the close of the last Session he felt it his duty to animadvert upon an *ex officio* prosecution which had been commenced against an editor of a newspaper of Ireland by the then Attorney-general, for a libel on the Government. Since that time, the lamented death of the late Master of the Rolls had removed the Attorney-general of last year from that office to be Master of the Rolls, and he could wish that learned judge no greater success than that he should reach the reputation for impartiality, integrity, learning, temper, and all the qualificatons that adorn the best judge, such as distinguished and will ever hallow the memory of Sir M. O'Loghlin. He had learnt with great satisfaction, that the first act of the new Attorney-general had been to accept an apology, instead of bringing up for judgment the editor of the paper convicted on the occasion to which he had alluded. He begged to offer his tribute of thanks to the Government, as well as his learned

Friend, for this act; for, in his opinion, he thought the course adopted would be more likely to keep the liberty of the press within the due bounds of fair political discussion, than the highest penalty which an Attorney-general could call for, or the severest sentence which a judge could inflict.

Motion agreed to.

The Washington Treaty.] Lord *Campbell* desired to put a question to her Majesty's Government which he was sure they would find neither difficulty nor reluctance in meeting with a satisfactory answer. He wished to know whether it was the intention of the Government to introduce any bill for the purpose of giving effect to the 10th article of the treaty of Washington. That article provided for the reciprocal giving up of criminals who might have been guilty of crimes either in England or America. This treaty, and indeed the article in question, he highly approved of, although the clause in question did not go far enough, as swindlers ought to be included in its provisions. An act of Parliament was necessary, since by the common law of this country no criminal could be given up, and the 10th article of the treaty had therefore no practical effect.

Lord *Ashburton* begged to assure the noble Lord, that he was fully aware of the bearing which the present state of the law had upon the 10th article of this treaty. So fully was he impressed with its inefficacy under the present state of the law that he had written to the secretary of state in America to say that the article in question had no practical effect until it should be confirmed by an act of Parliament. He should, however, observe, that although an act of Parliament in this country was indispensible, no such sanction was requisite under the circumstances in America.

Distress of the Country.] Earl *Stanhope* said, he was aware that a humble individual like himself, who was entirely unconnected with any political party, could entertain little expectation of support, and no chance of success in any proposition which was founded upon views different from those that were generally entertained on both sides of the House; but he was not deterred by such considerations, or by the discouragements which he might encounter from endeavouring to discharge his duty according to the dictates of his conscience. On that, as on former occasions, he might vote in a small minority, but he was not accustomed to consider the result of a Parliamentary division as the criterion of truth, or even as a just indication of public opinion. It had been said by Mr. Fox, that on many questions the minority of the House of Commons spoke the sentiments of the majority of the people of England. That proposition had been exemplified on many occasions,, and at present with reference to free-trade which was viewed with detestation by those classes of the community who were at once the most numerous and the most important, and were alone qualified to form an unprejudiced and impartial opinion upon the subject—he meant the productive classes. The doctrines of free-trade, might be acceptable to persons having fixed incomes, and to the whole tribe of idle consumers. They might be acceptable even to some of the productive classes, provided only they did not affect that particular branch of trade in which they were themselves engaged. But apply those doctrines generally (and there could be no semblance of justice in them if they were to be confined only to some classes), and they would be found universally odious and injurious to all the productive classes, for none of them would wish to compete in the home market with foreigners, who paid less taxes, and consequently could provide articles at a much lower rate. Nor would the productive classes tolerate the system of trade now carried on, in which the advantage was all on one side, without any appearance of reciprocity, though that was allowed by Mr. Huskisson to be the object which he had in view. All the anticipations which that gentleman had formed seventeen or eighteen years ago had been falsified by the event, and in proportion as we lowered our scale of duties, foreign nations had very wisely and properly increased their own. But if he wanted evidence that these free-trade doctrines were odious to the people at large he might point to the late general election, where a triumphant majority was returned in support of protection to native industry, and not merely in agricultural districts, or with reference to Corn-laws, for the same spirit prevailed in towns and boroughs which had no direct interest in land. He had rejoiced in that result, because he did not apprehend that all the fair promises and solemn pledges made in the summer of 1841 would be so utterly disregarded in the ensuing winter, that so many of those who had crept into Parliament under false pretences, could in so short a time exhibit such base servility as never would be, and never ought to be forgotten or forgiven. The views of the present Ministers he considered as erroneous as those of their predecessors, and their measures as mischievous, but there was this difference between them which was not to the advantage of the country—that the present Ministers had the power which their predecessors wanted, of carrying their policy into effect. It was well known to their Lordships that he was strongly opposed to the policy of the last Ministry, but he must say, the country would have been in much less danger if they had continued in office, checked by an overwhelming majority in that House and almost a majority in the other. The late Ministry were in that position that they found it necessary to be cautious of proposing measures which they were certain they would be unable to carry. Under these circumstances, the change of Ministry was an event most deeply to be deplored, for by the conduct which the present Administration had pursued, confidence was entirely and for ever destroyed, the last ray of hope had disappeared, that a change of Ministers would be attended by a change of measures, and now they had the strange and lamentable spectacle of the vessel of the State navigated by Conservatives and bearing the Conservative flag, steered in a Whig course. He did not assert that the right hon. Gentleman at the head of the Ministry had acted through awe and intimidation of the clamour and menaces of the Anti-Corn-law League. He assumed that his conduct was founded upon conscientious conviction, but dates were sometimes of very great importance, and he wished to know at what period he had arrived at that conscientious conviction, that the protection hitherto extended to agriculture was excessive, and that it was requisite or expedient to propose a measure which, he himself allowed, would effect a considerable diminution of that protection. He wished to know whether it were before or after the last election? If it took place after the general election, then it appeared that a person who had for many years been the leader of a powerful party, who had been Prime Minister, and again aspired to that situation, had not till that late period formed any decisive opinion as to the amount of protection necessary for the prosperity of agriculture. In that case what were they to think of him as a statesman? If it was before the last general election, it would have been candid in him to have stated it in his place in Parliament prior to that election taking place; and it was incumbent on him to have done so, when he found that in many cases the representatives were chosen under the influence of a gross delusion. This was not a novel case, for there was one very analogous in 1828, when it would be recollected, he paraded the country, and was everywhere received with compliments and congratulations as the champion of the Protestant faith. Yet in the following year the same individual came forward as the advocate of Catholic concessions. Let him suppose a case:—Let him suppose that in the interval George 4th had died, instead of living, as he did two years longer, and that a general election had taken place? what would have been the result? The Protestants would have made great efforts to return a majority in favour of their views, and would have had the sorrow and surprize of finding in the next Session all their efforts were frustrated by the very man who had been their champion. [" Hear, hear."] He was aware that their Lordships might consider these observations irrelevant; but it was necessary for him to mention them, in order to show them the position in which they were placed, and that if they sought for that redress which was now imperiously demanded at their hands, and urgently required for the safety of the country, they could not expect it from the Members either of the late, or of the present Administration, but must obtain it by their own independant and patriotic exertions Let them seriously consider the melancholy circumstances under which they were assembled. Let them seriously reflect on the present condition of the country—a condition which was daily becoming more awful and alarming—a condition, the consequences of which must be fearful in their nature, and might be fatal in their effect or results. Some indication of that condition was given by the disturbances of last autumn, disturbances which had not, except in North Staffordshire, the character of an outbreak, but were merely a strike for wages, accompanied of course by some acts of violence. But he still entertained as full a conviction as ever that the present system, if allowed to continue, would end, as he had some time ago predicted in that House, in a general revolution—not such as that which was styled by common consent the glorious revolution of 1688, but in a social revolution, accompanied by the total subversion of our established institutions. The late disturbances would have been very different in their nature, in their character, and in their ultimate results. If the new Corn-law and tariff had been longer in operation, if the distress of the manufacturers had extended, as is now the case, to other classes, if the movement had been general—if the outbreak had been simultaneous—and if measures, to which he would not further advert, had been adopted—it was his firm belief that in that case no civil or military force could have prevented anarchy throughout the land. From these disturbances, a very important lesson might be learned, that no country can be safe unless labour is protected. This principle, which they ought always to bear in mind, was distinctly recognised in the report on the handloom weavers in 1835. No measure had been adopted for their relief, and what was their condition when as contrasted with what it was at the earlier part of the present century? It appeared that at the beginning of the century the handloom weavers could each earn 26*s.* 8*d.* a-week; in 1833 they could earn no more than 5*s.* 6*d.* a week. In the first period the weaver could purchase 281lb. of food with his wages; in 1833 he could only purchase 83lb. In the first period he could pay his rent by weaving 6 pieces; in 1833 he could only pay it by weaving 25 pieces, and whilst he found the necessaries of life reduced 30 per cent. he found his wages reduced no less than 60 per cent. This was an instance of the evil resulting from not giving labour its due protection. In better times, the existence of such a system would not have been tolerated either by Parliament, or by the people. But it was not only the state of the handloom weavers that exemplified the evil; the state of the silk weavers afforded a decisive proof that under a system of free-trade there could be no protection to industry. He recollected that in the very first year after the former protection was withdrawn from the silk weavers, their wages declined 50 per cent., and they had never yet recovered. It was said, that high protective duties tended to produce smuggling. He granted that this was the case to a certain extent, but he wished that the noble President of the Board of Trade would explain how that principle could apply to the former position of the silk weavers, when there was an actual prohibition of the import of the articles which they manufactured; and when in consequence it was unsafe to deal in the article, to offer it for sale, or even to exhibit it publicly. They gave to the silk-weaver a nominal protection of the per cent., but it was in fact only 10 per cent, for on paying that amount abroad, silk goods could be smuggled into this country, the importer taking upon himself the expenses of the transit for the risk of seizure. But whatever differences of opinion might exist between him and other noble Lords, on either side of the House, as to the causes of the present distress, there could be no difference between them as to the extent and intensity of that distress. No tongue could depict the extent of suffering at present endured, and the consequences which might follow that state of suffering had not, in his opinion, been fully appreciated. It seemed to be represented in the speech delivered from the Throne, that the distress was confined to the manufacturing districts; but he should be glad to know what class there was in the community which was not, at that moment, suffering grievous, nay ruinous distress. With respect to the state of the master manufacturers, their condition was the natural result of their having increased during four years their productive power to the extent of more than 50 per cent., thereby creating a glut in the markets formerly open to them. Such a state of things was the consequence of over-production; and shows they had accumulated vast wealth under that system which they were now so anxious to destroy; but in looking at the state of the unfortunate operatives, he could not behold without the deepest sorrow their destitute condition. That state of things which now unhappily existed among our operatives had long ago been foreseen and foretold by a person for whose opinion he entertained high respect—he meant the late, not the present—Sir Robert Peel. He said, when speaking of their employment—

> "Thus the great efforts of British ingenuity, whereby our machinery has been brought to such perfection, instead of proving the greatest blessing to the nation, would prove its bitterest curse."

He entirely concurred in that opinion,

and it was with great satisfaction that he had listened to the sentiments which had fallen from the noble Duke near him (the Duke of Wellington) in a debate upon the Corn-laws. He certainly concurred with that noble Duke in the opinions he then urged with respect to the effects of machinery—in diminishing the employment and reducing the wages of the labourer. He concurred with the noble Duke when he asserted that we already possessed too many of what he termed "inanimate labourers"—labourers which consumed no articles of produce or of manufactures, and which did not contribute to the public revenue. The master manufacturers, he would contend, contributed a miserable pittance to the support of their labourers, and should have been assessed for their support in proportion to the extent by which human labour had been superseded by their machinery. There was one class whose interest he could not overlook while upon this subject, he alluded to those employed in factories, to whom full protection should be afforded. The labour of children even by a ten hours bill should not be permitted, for it could not be exerted for that time without serious detriment to the health of the children employed. In those factories, where, as he was credibly informed, children were doomed to worse than Egyptian bondage —to slavery more horrible and revolting than any ever practised in the West Indies,—20,000 were annually disabled, and rendered unfit, not only for the enjoyments, but for the duties of life, and left to become burdens to themselves and their friends. In Spain, a despotic country, an edict was passed in the year 1786, forbidding the employment of negro slaves under the age of seventeen years; and was Spain to be more humane than this country? Never was trade in such a lamentable state of depression as at present. Money was plentiful because there was no opportunity—indeed he might say no expectation—of employing it with advantage in any branch of productive industry; indeed, it yielded now only 2 per cent. instead of 6 per cent. which was the rate of interest at this time last year. The shipping interest, too, which had been considered by their ancestors as of vital importance to their maritime power, and therefore to their insular defence, had been diminishing and dwindling away ever since the abrogation of the navigation laws. In every portion of the country, and in the colonies, the value of property had been depreciated. In the West Indies two estates which formerly yielded 10,000*l*. per annum each, were now allowed to go out of cultivation, in consequence of the infatuated system that had been pursued. This was an instance which came within his own notice; and that confiscation of property which was there consummated was fast proceeding in this country. The new tariff had been adopted with extreme rashness, and with a reckless disregard to consequences, and no opportunity had been given to those whose interests would be injured by it, of being heard in their own defence. These measures had been of a most revolutionary nature—revolutionary, as tending to produce changes in the social arrangements of the country. Almost every interest had been affected by them. A handicraft workman had declared that he had been obliged to discharge his journeymen, but he knew not what was become of them, that he deeply regretted the circumstance, but that he could not compete with foreigners. Although there was extreme depression in the iron trade, and that articles which a few years ago cost 17*l*. could now be purchased for 5*l*., the protecting duties on iron had been reduced. Although a very great reduction had taken place in the prices of corn and cattle, yet no return of manufacturing prosperity had taken place, and there had been no alleviation of the former distress. Although corn had been imported in great quantities, and would not have been imported under the former Corn-law, which were not required for the wants of the country, no corresponding increase had taken place in the export of manufactured goods; and this was a practical refutation of the doctrines of free-trade. Noble Lords opposite had expressed their displeasure on finding that the alteration in the Corn-law did not occasion an immediate reduction in the price of corn; but was it not the very object of a Corn-law properly to regulate its importation, to exclude it when there was no need of it, and to admit it as necessity demanded? Their Lordships might, if they so pleased, pass legislative measures which would have the effect of annihilating their own rents. He did not question their right to do so, but he did question their right to adopt similar measures with respect to the interests of those who had no seats in that House; and he did maintain also that they had no right to pass measures injuriously affecting the rights and interests of the labouring classes, who were not represented in Parliament. At present, the agricultural labourers, as well as the manufacturing operatives, were suffering from want of employment, and in those cases where they were employed, their wages had been considerably reduced, even when they received only a scanty pittance of 9*s*. per week. He would lay before the House one instance of agricultural distress, of which he had been personally a witness. He had attended a vestry meeting in January last year, in the parish next to that in which he resided, held for the purpose of considering the condition of the labouring classes. At that time, there were eight or nine men in the parish out of employment, and the farmers present at once agreed to supply them with work. He had attended another vestry meeting in November in the same parish, and then it appeared that there were forty-four labourers out of work, and the farmers, upon being appealed to in their behalf, said, "We have plenty of work for them, but we cannot employ them, as we cannot pay them." They learned from a noble Earl, connected with the northern part of the kingdom, that in Scotland one-third of the landed property had been scattered to the winds. By that declaration, he meant that the value of property had been depreciated by one-third. They had seen, too, great landed proprietors in Ireland making abatements from their rents of 20 per cent. in one case, and 25 per cent. in another, and under these circumstances, could they expect that Ireland would remain tranquil? He thought, that those who in that country clamoured for a repeal of the union, would, if they had any feelings of gratitude, send an address of thanks to the First Lord of the Treasury; for he had done more for their cause than had been effected even by the exertions of the great agitator himself. But they were told, that the depression in agricultural produce had been the effect, of a groundless panic; he denied that such was the case, but assuming it to be so, he would ask, how and by whom had that panic been occasioned? Would that panic have occurred, if the former Corn-law had been left unaltered, and if the tariff had not been enacted? If the depression had arisen from a panic, those who had occasioned that panic were responsible for its consequences, and for the enormous losses which had been sustained by the cultivators of the soil. If there was a panic, it arose in part from the want of any explicit declaration in regard to the future intentions of the Government, but their expressed sentiments showed them to be in favour of a still further advance in the course they had lately been pursuing. What was the declaration of the Prime Minister? That he entirely approved of the doctrines of free-trade. What was the declaration of his Home Secretary? He stated that the existing Corn-law was not to be considered a final measure. What had been said by the President of the Board of Control? That protection was to be taken away at once, objecting, therefore, as it would appear, not to the removal of protection, but to the period at which that course should be taken. Since Parliament had met, another declaration had, indeed, been made, but one very unlikely to afford satisfaction or encouragement, for it amounted to no more than this—that it was not intended at present to alter the new Corn-law; but no definite pledge was given to the country upon the subject, and, that if any measure should be brought forward next Session, it would be in the same spirit. He knew, that by an immediate adoption of free-trade principles in all their branches, the downfall of this country would be more rapid, but not less certain, than under the gradual advance of the system lately followed. But an immediate adoption of these principles would be at the peril of those who proposed it, for to say nothing of the patriotism of the country in opposition to such a proposition, a sudden and violent resistance would be excited amongst the productive classes for their own defence, and Ministers would be compelled to retrace their steps. He did not wish to enter upon financial questions, but he could not help cursorily alluding to the present state of the revenue. Their Lordships were all aware that the revenue derived from the excise had always, and with truth, been reckoned a good criterion of the condition of the people, and they also knew that the revenue from that source had declined during the last quarter to the extent of 700,000*l*. compared with the corresponding quarter of 1841, and there had been also the same decrease compared with the immediately preceding quarter. It would be said that this was one of the consequences of manufacturing distress, but there was no greater depression of manufacturing industry in the last than in the immediately preceding quarter, and their Lordships would remember also, that the strike had taken place in the third, not the fourth quarter of the year. The increased deficiency, then, indicated an increased want of power of consumption among the labouring classes of the community. It could not be the result of the temperance movement; he was himself engaged in that cause, and he knew that the deficiency was not the result of temperate habits—not the result of choice, but the consequence of dire necessity. But he would maintain that, under existing circumstances, it was the duty of true patriots to discourage and discontinue the consumption of exciseable articles; and for this reason, that he had no hope or expectation whatever that the present administration, or any other formed from the members of the late Admininistration, would retrace the steps they had taken in the direction of free-trade, until they found by experience the injurious effects of such a course of policy upon the revenue. And here he might remark upon the lamentable contrast which, in respect to the state of the revenue, this country presented to France. In that kingdom the revenue was increasing. The Government had been warned by the example of this country, and had wisely followed an opposite course of commercial policy from that which we had adopted, and had shown that it possessed sufficient patriotism to protect the interests of its own people. Of all the various questions which had ever come under the notice of Parliament, there could be found none so interesting, so important, as the means of providing profitable employment for the labouring classes, and securing to them a due remuneration for their industry. This protection, too, the productive classes had an undoubted right to demand, and unless it was fully and efficiently secured to them, no country could be either prosperous or safe. It could not be prosperous, if those who, from their immense numbers, should be the principal consumers of all articles, except those of luxury, were, from poverty, unable to purchase them; and it could not be secure, if those who were reduced to destitution became desperate and disaffected, and, as was the case at present, the ready tools of political demagogues. Unless they gave protection to the labouring classes, they could not expect their allegiance; and if they could not depend on their attachment, they would have reason to fear the disorganization of the whole fabric of society. He would quote the words upon this subject, of one who was a real patriot, a Tory of the true and genuine stamp and character, not one of those who called themselves merely Conservatives—a name, by the way, utterly devoid of meaning, he meant Sir John Becket. [The noble Earl read an extract from a speech made by Sir John Becket at Leeds, in which he stated that all considerations were inferior to the consideration of means of providing employment for the people—that peace at home meant contentment at home—and unless fair remuneration could be given for labour, there could be no peace at home—there never would be peace at home, and there never should be peace at home.] If any one should say that he too lightly assumed the practicability that Parliament would grant to the labouring classes a redress of their grievances, he would reply, in the words of an illustrious and immortal statesman, whose memory he revered, whose example ought to be emulated by all succeeding Ministers—he meant Mr. Pitt, who, speaking of a great reduction of wages which had taken place said, that—

> "Parliament, if not then sitting, should be called together, and if it cannot redress these grievances its power is at an end. Tell me not that Parliament cannot—it is omnipotent to protect."

[The Earl of *Radnor:* When was that stated?] It was stated with reference to a general reduction of wages. As the distress which now existed was occasioned altogether by legislative measures, some redress could not be refused without the most flagrant injustice; and such was now the situation of the country, that it could not even be delayed without exposing to danger all classes of the community. If it should be denied, or if it should be too long delayed, there would then be afforded a practical argument, which might be unanswerable, and which, he believed, would prove to be irresistible, in favour of organic changes in the constitution—changes of which he did not undervalue the danger, but which, in those days, and under such circumstances, and, upon the principle of the *salus populi* being the *suprema lex*, might, with all thesed angers, be considered necessary to the salvation of the country. Unless the rights of the labouring classes are held sacred, no other rights would be respected, and no property would be secure. The property of the poor man was his labour, and to that he was as much and as justly entitled as any of their

Lordships to the possession of their estates. If a confiscation of property did take place, it could afford but little comfort and consolation to those who suffered, to learn that it was effected under the ordinary forms of the constitution, and by what was called an act of Parliament, emanating from an assembly in which the labouring classes had no voice and no representatives, and where their sentiments were not expressed. He had now stated to their Lordships, as clearly and concisely as he could, the general reasons that induced him to call upon their Lordships to take into their immediate and serious consideration those means of relief and redress which the country required — the profitable employment of the productive classes — the due remuneration of industry. He had never been influenced by factious motives, and in taking the part that he now did, he could assure their Lordships he was only influenced by the ardent desire that they might avert, whilst it was still possible, and even at that, the twelfth hour, the revolution which was rapidly approaching on this unhappy and ill-governed country. If he had only been desirous of collecting their votes, and of swelling his majority by a few stray supporters, he was quite aware that the course for him to pursue would have been to move for a committee on the state of the nation. Such a mode of inquiry must have embraced a great variety of topics, foreign as well as domestic, financial as well as commercial, and must, therefore, in itself have been unsatisfactory. Nor should he have thought it expedient to move for the appointment of a Select Committee. He thought that such a mode of proceeding would have led to great inconvenience, and occasioned a very dangerous delay. He must say, that he did not think that their Select Committees were conducted in a satisfactory manner. For there was a greater disposition to confute and confuse witnesses, instead of endeavouring to learn facts from them, and the arguments which they founded upon them; and thus it happened with respect to their committees, that the ancient fable was reversed; for formerly the mountain, it was said, was delivered of a mouse, while now-a-days, the mouse was delivered of a mountain. After months of gestation—after hour had been passed after hour in minute inquiries, there was always seen to come forth an immense mountain, consisting almost entirely of chaff. Few would venture to touch it—none would undertake to separate the few grains to be found concealed under the huge mountain. The course, then, that he humbly recommended to the House was to resolve itself into a committee of the whole House, for the purpose of discussing, with greater advantage and convenience than any other form of the House would allow, a subject of such importance. There would be an advantage in this sort of proceeding, as it would not be so easy to evade arguments, or inquiries, The remedy which he would suggest would be a restoration to that system under which this country had flourished, and by a departure from which it was now falling into decay, and would speedily be dissolved. That which he would propose as indispensable—as the necessary precursors of all others—was, the repeal of the new tariff, and the repeal of the new Corn-law. He was aware that measures for those purposes could not originate with that House; but, then, there could be no objection to their Lordships passing a resolution as to the propriety of such measures being adopted, and communicating such resolution in an humble address to the Crown. Or noble Lords opposite might, if they pleased, propose other measures more adapted to their views. But their Lordships ought not to be deterred by any preconceived opinions of their own—by obstinacy and false pride from doing that which their duty demanded, and the interest, welfare, and safety of their country required. He had done his duty—perhaps, weakly and ineffectively, but still sincerely and conscientiously—in bringing this subject under the notice of their Lordships. They might, if they thought proper, and without regard to his opinions, persevere in a course which, he could not but feel, was tending to ruin and revolutionize this country. If they continued in that course they would have to thank themselves for all the consequences that might ensue, whatever those consequences might be; and the day was, probably, not far distant when they might find themselves involved in anarchy and confusion. Their Lordships could take their own course, but they would be answerable for the consequences to God and to their country. The noble Lord concluded by moving ing that,—

"This House do resolve itself into a committee of the whole House, for the purpose of taking into its most serious consideration the present condition of the productive classes in the United Kingdom, with the view of providing for their profitable employment and for the due remuneration of their industry."

The Earl of *Ripon* observed that there could be no doubt as to the motives which had induced the noble Earl to bring this subject before the House. Upon many former occasions the noble Earl had manifested the same feelings in the same manner; and, in the course of the Speech that he had now addressed to their Lordships, he had given expression to generous sentiments, in which all were disposed to agree —to some political truisms which no one was disposed to controvert, but at the same time the noble Earl had also given utterance to many erroneous doctrines. But there was one merit which his noble Friend appeared to claim, and which he could not permit his noble Friend to claim exclusively, in his zeal for monopoly, and that was the proper feeling by which the Legislature ought to be influenced. His noble Friend seemed to him to impute to them, not only gross ignorance of the interests of the country, but also a culpable indifference to that painful state of distress which every one must acknowledge, and that it would be almost an insult to deny. But, then, he could not admit that the Government of which he formed a part, nor would he admit with regard to the two Houses of Parliament, that his noble Friend was entitled to claim for himself a monopoly of feeling for the poor, or that Ministers and Parliament were to be held up to the people of this country as if they were indifferent to the situation of the empire, or to the difficulties that might afflict it. He begged to protest against that doctrine; and if he objected to the motion of his noble Friend, he said that for so doing it would not be right to impute to that course all that anarchy, and that tremendous revolution, with the approach of which they were threatened, and of the arrival of which his noble Friend felt so sure. He confessed that it appeared to him that his noble Friend took a most injudicious course in the mode which he recommended them to adopt. His noble Friend said that he would not recommend the appointment of a committee of the whole House to consider the state of the nation, because that would lead them into an inquiry that must be too extensive, and as involving all sorts of questions, foreign and domestic, financial and commercial, and therefore it would be impossible that such an inquiry could be attended with advantages. And then his noble Friend said he would not call for the appointment of a select committee, because these select committees conducted their inquiries in such a manner, that it was utterly impossible that the result should be satisfactory. He said that they examined witnesses for the purpose of confuting and confounding them, and that they produced a collection of reports that nobody read; and then his noble Friend gave as a singular illustration of the effects of their labours, that the mouse produced a mountain. But then, if they had a committee of the whole House, as it was suggested by his noble Friend, and if that committee were to examine into multifarious matters, such as had been suggested, what security could his noble Friend give to that House that his committee would not also be a mouse, and that a report of the examinations which came from them would not form such a mountain of chaff, as that which the noble Earl said would proceed from their select committee. There would be no advantage in the mode proposed by his noble Friend; but there would be disadvantages without end if they entered upon such an inquiry, and carried it on by such a mode of proceeding as would, in his opinion, be most unsuited to the end sought to be accomplished. His noble Friend, indeed, might come down there day after day, week after week, month after month—he might commence sitting at an early hour in the morning, and go on until a late hour every evening with the inquiry, but how that could end in the adoption of all the doctrines, and the sanction of all the wrong principles avowed by his noble Friend, he could not divine. How was his noble Friend to bring forth all those results from the examination of the witnesses?—for though his noble Friend might preside at the inquiry, he could not prevent other Lords from going into the advocacy of their opinions, and seeking to establish them by the examination of the witnesses, and thus they would only have an inquiry without end, without meaning, and without an object—a mere mockery and delusion upon the public—an inquiry that could attain no desirable result, and lead to no practical point whatsoever. The mere statement of such a mode of proceeding was, he thought, sufficient to induce their Lordships not to concur in this motion.

But, there had been some points in the speech of his noble Friend to which it was necessary for him to refer. His noble Friend had indulged in language that was severe with respect to the conduct of her Majesty's Government, and of his right hon. Friend the head of that Government. This was not the first time in which the noble Earl had charged his right hon. Friend with a supposed duplicity, and with holding out false pretences and false colours, for the purpose of inducing the people to send to Parliament a body of gentlemen differing in principle from the Government that had recently existed. He did not mean to say that the noble Earl attributed to his right hon. Friend a deliberate and base design to deceive. No, his noble Friend did not say that precisely; but then there was something very like that in his insinuation. [Earl *Stanhope:* No.] Then he did not understand what his noble Friend meant. He could not for the life of him understand how his noble Friend could throw out the statement he had done, and yet not mean to convey that deception, and wilful deception, had been practised upon the country. As to his right hon. Friend, he said of him, as a Friend and a Colleague, and it was no mere compliment to his right hon. Friend, while he protested against the injustice, and against the injurious attack made on him, it was no compliment to say of his right hon. Friend that he was an honest man, for no man who was not honest was fit to be a Minister of this country. He protested against the monstrous charge made against his right hon. Friend; and, on the part of his hon. Friend and Colleague, he said that never was there an imputation more unjust and more unfounded than that which had been levelled by the noble Earl against his right hon. Friend. As a man, and a Colleague, he said of his right hon. Friend this, that there never had been one expression, one sentiment uttered by him, where the place or the necessity called for it, within the last year and a half, differing from opinions before maintained by him. He maintained this, too, for himself. The arguments he now used, and the principles he now acted upon, he had before now employed and advocated. He had always maintained that the restrictive principles which prevailed in this country had produced the greatest possible evils, and that it would be for the interest of the country to modify them. That he had always maintained, and in any question that had been brought forward within the last year, he defied his noble Friend to lay his finger upon any one sentiment uttered by him, in that time, that was in opposition to, or that was not conformable to principles which he had laid down before. He knew that his principles did not go the length of many other of their Lordships; but what he now stated, he stated with regard to his own principles, and by those principles he was prepared to abide. But then his noble Friend had illustrated his own principles by one or two points. The first point then taken by his noble Friend in illustration of his opinions was the question of the silk trade, and that trade the noble Earl said had been entirely ruined by the system of free trade. Was it true that the system of free trade, as regarded the silk trade, was hostile to the interests and progress of that trade? The duty that had formerly been imposed upon that article was extremely high. It was said, at the time of taking off the prohibition, that it would reduce the silk manufacturers to the greatest possible distress. Now, he wished to know from his noble Friend whether or not he had ever heard of distress in Spitalfields before the alteration of the duties? Did he never hear of distress when the silk manufacturer had that which his noble Friend considered the benefit of absolute prohibition. And, then, his noble Friend talked of their "rude bold ancestors," who would never have consented to free trade—who would not be content with aught less than full protection at the least, if not absolute prohibition. Why, if his noble Friend would go back to the days of Queen Elizabeth, he would not find prohibition, but a very large consumption of foreign silk in this country. He spoke not with certainty, but off-hand, when he said that the first time they heard of prohibition was in the middle of the last century. The policy which his noble Friend advocated was not one from which he could derive much support in "the wisdom of their ancestors." But then he asked, was it true that the silk trade had suffered so much, as his noble Friend affirmed? Where, he asked, was the proof of the impolicy of lowering the duties? Could it be shown in the contraction of the trade in a single locality, where it used to exist? On the contrary, had it not extended from London to a great variety of places where it had not been before—for instance, to Macclesfield, and Manchester, and Coventry? This he could show by papers, which he would shortly lay on their Lordships' table. They would prove that, in a series of years, he did not say in one year, the quantity of silk manufactured in this country had greatly increased. And since the alteration in the law, he could show that there had been an infinitely greater increase than before. What he wanted to prove was the extension of the trade. He did not mean to say that every manufacturer was in the same state of prosperity, or that the weavers were all well employed; but they must deal in generals, and not reason upon single instances. That increase in the trade was the consequence of the alteration in 1825, which his noble Friend so much decried. But then his noble Friend declared that they were going to destroy the profits of the iron trade. His noble Friend supposed that there would be no more iron, because in the course of the last Session, and in the new tariff, there was a reduction in the duty upon raw iron. Now he must say to his noble Friend that he wondered, where he got his information as to how the state of the iron trade was affected. His noble Friend knew the value of the argument, *post hoc, propter hoc,* and he was sure his noble Friend knew now to apply it in this case. There might be a depression in the iron trade, but it was not owing to the lowering of the duty. The duty had been reduced, but then no more iron had come in under that reduced duty than had come in during the previous year under the higher duty. How, then, did this fact correspond with the assertion of his noble Friend as to thousands of additional tons being imported, and then applying to his assertions those doctrines which he had alluded to before? It was but mere fancy. They then came to the tariff, and they had heard much on this subject as to the fall in the price of cattle. By law, the importation of them had now been allowed for six or seven months. How many were during that time imported? Of oxen about 3,126. That was the number of cattle, against the importation of which it was said that they ought to be protected. But then, how did this speculation answer with the importers? He did not know any one who bought the animals; he believed they had been sold, and he presumed that some of them had been eaten. He did not know the sums that might have been given for them. Some of them came from Spain; some were animals fifteen years old; some, the greater part of their term had been used at the plough, and were very unfit for these markets, and when they came here, he believed they were sold for little or nothing. But then, would any one say that the present diminution in the price of meat was to be attributed to the importation of three thousand head of cattle? Was it to be said this could effect even the markets of Smithfield alone, where there was sold from 170,000 to 180,000 head of cattle every year? Were they to ascribe vast consequences to such a trifling cause? It was quite true in history that from trifling causes they might trace great effects; but he believed it was not so in political economy. But then a complaint was made, not only as to the importation of oxen, but of other animals. His noble Friend was in a perfect agony upon the importation of pigs. And his noble Friend and others even calculated how many quarters of barley were freely imported in the shape of pigs. He thought his noble Friend carried this argument to a great extent, when there had been an importation of only 415 pigs. He did not know how many quarters of barley were used to fatten those pigs; or whether or not they were at all fat. But then his noble Friend might tell them of what might be the dire consequences of such things should they happen hereafter. At all events, his noble Friend would call upon their Lordships to undertake an inquiry for the purpose of putting an end to a law which, if they were to judge by their own experience, did not realise his apprehensions. Then, his noble Friend had alluded to gloves, and he affirmed he took it for granted that what they had done must lead to the unavoidable ruin of that particular branch of manufacture. He had himself been in a very grave manner told, by those interested in this manufacture, that the reduction of the duty would be the ruin of the glove-trade in Worcester; that they would be inundated by French gloves; that the importation of them would be enormous. He had then said that he did not believe that the consequences would be so fatal—and he pointed out the additional quantity which hitherto had been imported, that it must go on, and that there never would be an end to the smuggling in that article. He was told that it was quite impossible this could be the case. His answer was that he knew that it was carried on to a very great extent. One of the parties who had strongly urged his views, in opposition to those entertained by himself, called on him a few weeks afterwards, and said that he had made inquiries on the Continent, particularly in France, and was, in consequence, convinced that his (the Earl of Ripon's) views were right, and that he thought it due to himself, as an honest man, to call upon him to say, that from the inquiries he had made amongst the foreign manufacturers, he was right, and that the only chance of preventing smuggling was by lowering the duties. [Earl *Stanhope*: Or prohibition.] Prohibition was the panacea of his noble Friend for everything. If they put on a high duty they could not prevent smuggling; and if they had prohibition they could not prevent it. Before the law allowed the importation of silk — when no duty whatever was received—there had been smuggling of French silks, notwithstanding the prohibition to import it. The smuggling had been more actively carried on then than it had ever been since, and there was, besides, the mischief that no revenue was received upon the silk imported. His noble Friend seemed to fancy that because a thing was prohibited by law it could be kept out in fact. His noble Friend had the same views as to other articles of manufacture. At this very moment he could show his noble Friend a letter, for he would like him to be convinced: he should feel more than ordinary pleasure in being able to convince his noble Friend, because he knew that that was the most difficult thing in the world. Now, he could shew his noble Friend a letter, in which a party undertook at this moment to import any quantity of silk at 12½ per cent. when the duty was 30 per cent. Did not that prove that the facility for smuggling was very great? His noble Friend might rest assured that smuggling was by no means a matter of light consequence. Smuggling was the root of all sorts of crimes, and could not be carried on without leading to the most dreadful consequences. Conflicts took place between parties—blood was shed—life was lost. It was pregnant with many evils; and if once the people got into the habit of violating the law—when that once became the prevailing feeling with the population—then he would venture to say that there would no longer be security for life or property. In his opinion, smuggling was one of the greatest evils by which a country could be afflicted. His noble Friend also called upon them to repeal the Tariff and the Corn-law, from which he did not seem to anticipate any great advantage. [Earl *Stanhope*: To repeal the last Corn-law.] If, then, his noble Friend induced their Lordships to repeal the last Corn-law; if he could persuade their Lordships to get rid of that law, which he was prepared to show had worked well, (he might be wrong in that opinion; but he was prepared to show that he had good grounds for the assertion he made)—but then, if his noble Friend could induce them to repeal the last Corn-law, were they to go back to that which was avowed to be worse? Would he prefer that to the last Corn-law? [Earl *Stanhope*: He did; he would have the one before that.] Were they, then, not only to repeal the existing Corn-law, and the Corn-law of 1828, but go to the Corn-law of 1815. [Earl *Stanhope*: To that of 1822.] It was much the same thing. The inquiry proposed by the noble Lord was to prepare them for a retrograde step. In fact, there was no limit to the retrogradation of his noble Friend in legislation. But, then, there was also the currency. Then it was proposed to their Lordships to have a committee of the whole House for the examination of gentlemen entertaining speculative opinions on the currency. No Session could ever end when this was begun; and yet it was an immediate remedy that his noble Friend wanted, and he tried to persuade their Lordships that inquiry and relief could both be instantly applied. There was one other point on which his noble Friend had dwelt—it was the subject of machinery; and his noble Friend has descanted on all the evils of machinery. He did think, that there were evils in it. There was no one good in this life that had not with it some concomitant evil. Whether it arose from men's passions, or was to be attributed to the inherent weakness of nations, there was no one good that was not accompanied by some evil. Thus, it might be shown, that, in the unlimited use of machinery, evils had taken place; but then, to put a tax upon machinery under the idea that it would be the means of giving the operative a due reward for his labour, was a most fallacious notion. His noble Friend, he thought, had not proved his case with respect to one trade. He believed, that the progress of machinery had been, in that respect, greatly to supersede manual labour. It was so, not only in this country, but in France, in Belgium —and it had, to a great degree, begun with the German League. But then it did not follow, that the remedy was a prohibition upon machinery. His noble Friend referred to the evidence taken before the hand-loom weavers' commission, and very interesting it was. But all that those commissioners ventured to say was, that it might be possible to suggest one or two palliatives. They described the wretched condition of the hand-loom weavers as arising from various causes—chiefly from machinery superseding hand work; but they described that condition as hopeless, except where peculiar circumstances allowed a temporary alleviation. He was afraid it was so. He thought they could not hold out to those unfortunate men any prospect that legislation of any kind could ensure them a regular demand for their labour. Yet they were a class, whose conduct under privation for a series of years, entitled them to the pity, the respect, and the admiration of the country; and his noble Friend must feel that there was no man in that House, no gentleman in England, whose heart would not bleed at the consideration of the distress of these people; the more so, because of the conclusion that no legislative remedy could be applied to their unfortunate condition. The noble Earl concluded with entreating their Lordships not to go into the useless committee which was proposed, and which could end only in disappointment—disappointment being at a time of public distress the greatest possible aggravation of the evil to be remedied.

Lord *Beaumont* said, he intended to vote for the committee proposed by the noble Earl, but did not wish their Lordships' by that vote to imply his complete concurrence in the opinions professed by his noble Friend, nor his full participation in the policy of the measures he had recommended. He knew it was difficult to retrace steps so recently taken, however rash and uncalled-for those steps might have been, nor did he think quite fair that Government should be called on in one Session of Parliament to rescind the measures they had deliberately proposed in the immediately preceding one; but he nevertheless felt grateful to the noble Earl for bringing forward this measure, as it would be the means of wringing a pledge from Ministers as to their future policy, and it would afford them an opportunity of stating to the House and the public, what were their intentions with regard to the great question of Free-trade, which now occupied men's minds. He would moreover add, that it was the bounden duty of Government to avail itself of the opportunity thus afforded to speak distinctly on the subject, in order that the uncertainty and anxiety still felt in the country might cease, and no further doubt be entertained as to the opinions and intentions of Ministers; for he (Lord Beaumont) felt convinced that one, and the chief cause of the continued panic in the agricultural districts, and of the general discontent consequent on that panic, was the want of positive knowledge on the part of farmers, and of positive declarations on the part of Government as to the future prospects of the one, and the future measures of the other. He knew that prior to the meeting of Parliament, it was generally said when the subject of the distress was discussed at county meetings, at market-crosses, in corn-exchanges, and elsewhere, that the depression in trade would cease, and the distress pass away when Parliament met, because then the people would know what the intentions of the Government were, and could arrange their affairs and make their calculations accordingly. It was therefore, with a degree of disappointment which he must now express, and which he would have expressed earlier if he had had an opportunity, that he observed on the first day of the Session, a total omission, both in her Majesty's Speech, and in the Address in answer to that speech of the great and all important measure which at present agitated the country, and although there had since been something like a pledge given by a minister of the Crown in another place, yet if the rumour which had reached him, it was guarded by provisoes and exceptions, importing that although it might not be the intention of the Government to make any immediate alteration in their recently adopted plans and scales, it was still their intention to leave the question open, and would feel themselves at liberty to revise their own measures whenever the time should arrive that the present law stood in danger from the power and pressure of opinion against it out of doors. The House had a right to ask if the country was entitled to expect a more explicit answer, and distinct pledge, than this which he (Lord Beaumont) had just stated, for he was fully convinced that the reason of the panic which still existed, was a want of confidence, not in the intentions, nor perhaps in the principles of individual Ministers, but in the power of the Government, (unless they took a firmer stand than they now did) to resist the gigantic and growing power which was now daily, hourly rising in the country against all protection. It was impossible to disguise from one's self the rapid growth of that monstrous giant who had risen up in the form of the Anti-Corn-law League, and though Ministers might despise the absurd proclamations of that body, he (Lord Beaumont) thought they would be scarcely discharging their duty unless they checked its onward career and crushed in the shell the dragon which threatened to blight their fields. He (Lord Beaumont) knew not if that body had not transgressed the law—if some of its acts were not illegal as some of its circulars were blasphemous; but if active measures were not to be taken against the movement of the Anti-Corn-law League, at least the country was entitled to a positive pledge from Ministers, by which the Government should stand or fall, that they would maintain the remnant of protection which the sweeping measures of last Session had still left to the country. This was the least the Government could do, and this ought to be done without delay. It was vain to say that the measures had not been tried—that we did not see their working and did not know their final consequences. Six or seven months of bitter distress—without any alleviation in the course of them, and little prospect of improvement at the close of them—this was the result—this our experience of the measures. It was equally vain to say that the farmers had themselves created the panic, and that but small quantities of cattle had been admitted. The panic was the natural effect of the measures which had been adopted last year, and the smallness of the number of cattle imported had been owing to the exertions of the farmers in driving a greater quantity of their own to market. The case was this, that when Government undertook to make alterations, they made those alterations on too wholesale a scale. If they had altered the duty upon wheat alone, there might have been complaints, but that general panic would not have spread throughout the agricultural districts which the rash wholesale measures as those he (Lord Beaumont) had alluded to, did and must produce. After a season of high prices and extraordinary expenditure in agricultural improvements, it was suddenly and unexpectedly announced that every article of agricultural produce which had hitherto been protected was to lose a portion of that protection. This was after the farmer had stocked his farm at an immense outlay and incurred all the heavy expenses incident to a period of high prices. Then it was, before he had got rid of the stock so dearly purchased, and when he least anticipated such a change, that the announcement was made that the protection he had hitherto enjoyed was to be taken off. In the mean while from London and Hull—from Newcastle and Stockton, unusual orders had been sent to Hamburg and Dantzic in anticipation of a reduction of duty, and corn was consequently purchased in the foreign markets to double and treble the amount in quantity that had ever hitherto been admitted. The farmer not knowing what might be the result of such a step, but knowing that he would have to contend with a much larger supply than hitherto, hurried the remaining contents of his granary to market, and endeavoured to get the start of the foreign importer; and when the early harvest came, he threshed out his corn sooner than he otherwise would have done, in order to prevent the release from bond and consequent introduction to the market of that corn from abroad, which he knew was already shipped, and on its way to this country. Thus, the farmers rivalled each other in getting rid of the corn they had in hand, for fear that they should be too late, and should find the markets overstocked by the foreign supply. It was quite true, that corn fell more in consequence of the farmers bringing it so eagerly to market than in consequence of the quantity actually admitted from abroad, but by this step on the part of the farmers, a large quantity already ordered from foreign countries, was prevented from coming out of bond, and which would have inevitably added still more to the loss of the home grower. This was clearly shown by the ruin of the factors. They had tried and intended as they always would try and intend, to work the averages, and if there had not been an early harvest, they would have probably succeeded, and have got the whole of the foreign corn ordered in at a nominal duty. Had that been the case, the loss to the farmer would have been great indeed. In the same way on the markets being thrown open to foreign cattle, the farmer was obliged to send his cattle to market sooner than he otherwise would have done, in order to get the start of the foreign importations. Thus, it is true, that the farmers by their own acts lowered the prices, but had they not done so, the foreign importer would have got a footing in the market. It is equally true that the farmers who had purchased lean stock enormously dear were compelled in consequence of this rivalry amongst themselves, to sell their fat stock at exceeding low prices, and in proportion as the profit on each article was reduced, they endeavoured to make up in quantity of produce brought to market, the loss sustained by the low prices of each separate article, because a certain sum of money they were bound to have in hand to pay their rent, re-stock their farms, and meet their other engagements; and therefore although it might be said that the farmers has caused the panic themselves, they were obliged to do that which caused the panic, in self-defence against the foreign importer, and in order to meet their money engagements. As to the future prospects of the farmer, he (Lord Beaumont) had no doubt, that if Government would take their stand upon the Corn-law as it now existed, and thus give some certain data for future calculations, things would partially adjust themselves, and he would add, that, provided no alteration was expected in the law, and no tampering with the averages took place, the farmer might carry on, albeit with some abatement of his profits, his business with his present engagements; and, should the next year's harvest be as as the last, he might calculate on the good sliding-scale showing its advantages and coming in time to his relief, for the duty would naturally rise with the prospect of plenty, and foreign corn be excluded if there were abundance at home. But all this depended on a fair working of the averages which he was afraid had not hitherto been the case. So much for wheat; as to oats, he (Lord Beaumont) did not think they would ever again be grown in this country with great profit to the cultivator; grown they must be, because they came in the regular succession of crops, but he (Lord Beaumont) feared with very small return to the farmer. As, however, the chief consumers of oats are persons connected with the land, the loss to the occupiers is less felt than on any other grain. Unless the Government gave a positive pledge that they would stand by the present law, or at least maintain the present amount of protection, the opinion would gain ground in the country that free-trade principles would eventually triumph, and even now the number of converts to those opinions were daily increasing, and the league gaining ground, not in consequence of the arguments and by the advocates of free-trade, but in consequence of the absence of all resistance to the movement on the part of Government? The consequence was, that the public suspected an inclination in Ministers to give way to those principles for the triumph of which many now looked who would not have dared express a hope before. Again, look at the effect of the late policy of England in other countries. The prophesies of Ministers in favour of their measures had not been fulfilled. They said that their propositions would induce other countries to open their ports to our goods. Had other countries done so? Had France followed our example? France had not only not done so, but had admitted the linen yarns of Belgium to the exclusion of ours. Spain had acted in the same manner, and by treaty favoured Belgium to our detriment. Our treaty of navigation with Russia had not lowered the duties on English goods, nor prevented her from throwing open her frontiers towards Prussia for the admission of the mixed cotton and woollen stuffs of the Zolverein, Portugal, and other countries had raised their tariffs. His (Lord Beaumont's) great object in seconding the motion of the noble Earl was, to ask of the Government a pledge with regard to their future intentions—a pledge not shackled with provisoes and exceptions—but a distinct statement by which the country might know whether they were determined to stand by the present Corn-law or not. Without positive knowledge on this subject the farmer could not calculate his next year's outlay or profit. As he had said, he thought it would be unreasonable to ask the Government to rescind their recent measures, but he thought he might ask them for some additional measures to carry them fairly out and give the advantage of them to the poorer classes. Since the price of corn was lowered, and since they had a return of averages by which they knew at what price wheat was sold, he thought an assize of bread would be a fair measure in order that what was lost to the farmer might be gained to the poor. The loss of profit to the farmer was distinctly felt, and at the same time, we could not see the increase of the loaf—at least, the decrease in the price of bread did not follow immediately the reductions in the price of corn. But if there were an assize of bread, we should have the satisfaction of knowing that what was lost to the farmer in the price of wheat, was gained by the poor in the quantity of bread. There was no doubt a great number of labourers must be thrown out of employment; there must be a reduction in all agricultural establishments, and each class must descend a step. The farmer's sons who had hitherto set up for themselves must now be content to become hinds to their fathers, and the daughters who had hitherto aspired to higher things, perhaps higher than their station warranted, must now go out to service. There must be a reduction of all, and in the scale of descent the lowest kind of labourers must be thrown out. Something, therefore, to amend the condition of that class, or to provide them with other employment, ought to form a subject of serious consideration; this was one of the objects of the noble Earl's motion, and which he (Lord Beaumont) considered justified him in voting for the proposition.

Lord *Brougham*, after the very able speech of his noble Friend the President of the Board of Trade, did not intend to enter very largely into the question which his noble Friend at the Table had brought before their Lordships, nor to answer the statements of his noble Friend on the cross benches, (Lord Beaumont). He rose simply for the purpose of remarking the mistake into which any one would surely fall who had heard this debate, and knew nothing even of the subject. It would undoubtedly, appear to any one coming into the House that night and hearing the question for the first time—that the state of the law and commercial policy of this country was very different from what we knew it to be. Such a one after hearing the bitter complaints by both his noble Friends of the grievances of what they termed the agricultural interest, would certainly suppose that free-trade had passed into our legislation of late years—that all restrictions upon imports had been abolished — that they, the free traders at that side of the House, few in numbers he feared, were at that moment revelling in the full, uncontrolled, and unresisted enjoyment of their favourite doctrines by the universal adoption of liberty of commerce. Because the burthen of his noble Friend's song, from beginning to end, was the same—it was a continual harping upon this one note, that all the evils he spoke of were the consequences of free-trade, and that they should have no more of these free-trade doctrines, which had brought ruin upon us. But where could they find any of this free-trade? For his part, look where he would round the wide compass of our legislation, his wandering wondering eye could not see even a glimmering of free-trade, unless it were the least and faintest spark of light, which he could hardly dignify with that appellation. He took one instance, the silk trade, which had been dealt with by his noble Friend (the Earl of Ripon) in the other House in 1825; not because it had given rise to any one of the consequences of which his noble Friend (Lord Stanhope) complained, but because it was an example of some slight approach to a freer system of commercial legislation. It was so just to this extent—that whereas formerly there were prohibitions of some articles of this kind, these no longer existed, and that whereas there were formerly high duties, those high duties having been found not to protect the trade, but to encourage smuggling, were materially reduced. But was there a free-trade in silk? Was there a free importation of silk? Were there no protecting duties with regard to silk? There was a protecting duty of neither more nor less than a duty proportionate to the value of the article of 30 per cent. This duty still encouraged smuggling; and then they were told, "Do not protect, but prohibit." What was restriction or protection but prohibition under a certain price? The protection was an encouragement to the smuggler by the amount of the duty—the prohibition necessarily increased that temptation. His noble Friend seemed to think that the moment you prohibited goods, they would no longer appear in the country; and he looked back to a time which made his teeth water, when persons might be punished for appearing in prohibited goods. His noble Friend thought that, in such a case, people would not wear foreign goods for fear of being punished. The only effect would be, that the foreign goods would not pass for foreign goods. They would be sold and used as home productions. If a man used a foreign glove, could another come up and not hold him by the button, but a still greater annoyance, ask for his glove, and say he wore a foreign glove? The answer would be—"No. This glove was made at Woodstock." And so things would be, notwithstanding any regulation, notwithstanding any prohibitions that could be enacted. They had heard an extraordinary reason given for supporting the motion before the House, and they had heard a new theory, such as he believed had never been broached before. It seemed, according to his noble Friend on the cross benches, that the panic, which had arisen amongst the farmers, did not exactly proceed from the tariff, but that the farmers were obliged to make it themselves by way of defence, and for their own protection. This was a new doctrine of protection. He had heard of 30 per cent., of a fixed duty, of a sliding scale, and of a prohibition for the sake of protection, but never before of a panic raised expressly for that purpose by the innocent agriculturists—happy if they but knew their own happiness, and he never was more surprised than in hearing of that peculiar kind of protection. But if this panic now existed, the inquiry was not necessary to put an end to it. They had put an end to it already, without deliberation or inquiry; they had the mouse, without the labour of the mountain; the grain, without the chaff, in the satisfactory statement of his noble Friend the President of the Board of Trade, with respect to the importation of cattle. His noble Friend at the Table treated it with the utmost contempt. His noble Friend was determined to be afraid, resolved to be panic-stricken, and would not on any account take any comfort. But the panic, if it existed at this moment, whether artificial for protection, or natural when it came upon people from some external cause, as was the case with most panics on this side of St. George's Channel, would be at once removed by the fact, now clearly shown, that the importation had been 3,100 and odd oxen, on a consumption of twelve or 1,500,000, or about 1½ per cent. on the London consumption alone, most of these oxen being so bad as not to appear in the market, and none at all, he supposed, had ever appeared on the Table. What had been the case with another description of beasts? His noble Friend had been alarmed last year about oxen, but he had been a thousand times more alarmed about pigs. Now how many had been imported? 315 pigs, and not one pig more. How was it possible for any sane mind to think that mischief, in any degree whatever, could follow from such petty importations. He could not quite agree with his noble Friend on the cross benches, in his very great alarm at the proceedings of a body of very worthy and laborious persons, who showed their earnestness and their liberality by contributing their money as well as their time—he meant the Anti-Corn-law League—a body which seemed to haunt his noble Friend on the cross benches as an apparition peculiarly monstrous. His noble Friend fancied it sometimes a giant and sometimes a dragon, seeming, indeed, to have had his wits somewhat bewildered by the panic with which he and his friends had been solacing and protecting themselves. He could not agree, that the Anti-Corn-law League deserved this representation, or had sat for this picture. "I cannot, however," said the noble and learned Lord, "suffer the mention of the Anti-Corn-law League, and its proceedings, for the first time since the last summer that I have had the opportunity of saying a word upon it, to be made in this House without expressing my entire and hearty concurrence with the disapprobation expressed at many of the proceedings of that body by my noble Friend not now in his place, who was lately at the head of her Majesty's Government, and who from his temporary illness is not here to state his own sentiments. I am on that account more anxious to state my entire concurrence in his reprobation of some of the means used by that body. I differ from my noble Friend in his opinion of its object, for I go much further in desiring to see the repeal of the Corn-laws than my noble Friend; but I desire to express my most pointed disapproval of the means taken by some of the persons connected with that association; and, my Lords, I am the more anxious to state this, because I consider that those means are of all things the most prejudicial to a good cause. If anything could retard the progress of their doctrines—if anything could raise obstacles to the course of improvement in the laws respecting provisions and the general laws which they most justly oppose—it would be the exaggerated statements and violence of some of those connected with their body—the means adopted by them at some of their meetings to excite—happily they have not much succeeded—to excite discontent and breakings out into violence in different parts of the country; and above all, I cannot discharge my duty to your Lordships, and to my own conscience, if I do not express the utter abhorence and disgust with which I have noted some men—men clothed with sacred functions, though I trust unconnected with the League, who have actually in this very metropolis of a British and a Christian community, and in the middle of the 19th century of the gospel of grace and peace, not scrupled to utter words to which I will not at present, for obvious reasons more particularly allude, but which I abhor, detest and scorn, as being calculated to produce fatal effects—I will not say they have produced them—but calculated to produce the taking away of innocent life. My Lords, your Lordships are aware that I refer to a trial which is pending, and they who have used these expressions will, I hope and trust, be called on for an explanation in the course of its proceedings; and it is only because of the pendency of the trial that I abstain from more specially referring to those reverend gentlemen's observations." The peace of the country, he (Lord Brougham) said, had been slightly, and but slightly, broken in the course of the recess; but happily there prevailed among Englishmen a distrust of all unlawful proceedings. As his noble Friend, the noble Duke, in canvassing the late proceedings observed—they have a distrust of one another when engaged in illegal acts, and last of all, happily Englishmen had a distrust of themselves when engaged in an unlawful course, and thus peace and good order were preserved, in spite of the efforts of ill-disposed individuals. He entirely concurred in the respect and admiration expressed by his noble Friend the President of the Board of Trade for the peaceful and abstinent conduct of the working classes under grievous afflictions; but unhappily he could not see—if he could his grief would be less poignant—any means of speedily restoring them to their former state of comfort. Some of the distress now felt—he trusted temporary distress—was the result of machinery being substituted for labour; and no doubt by degrees that labour would be absorbed in other kinds of business—the capital for supporting that business being furnished by the operation of that machinery—but he could see no immediate remedy—certainly none in the proposition of his noble Friend at the Table, and as little in the more specific plan of his noble Friend on the cross benches. His noble Friend said, when corn is cheap you may have cheap bread by an assize. How so? By fixing a maximum? In the first place this was impossible; and it had never been tried in any country without producing the most grievous calamities—an utter subversion of public tranquillity, and, worst of all, a dearth and scarcity of that which you want to make cheap and plentiful. Neither was it possible by law to give employment for labour, or to secure its remuneration. It was impossible by law to compel farmers or manufacturers to employ labourers, or to fix the wages they should pay. There was no doubt a want of employment, but there was no means of compelling masters or farmers to give employment to labourers. The supply and demand must regulate the amount of employment, and their Lordships could not regulate that by any provisions. He saw, therefore, no ground whatever to support the motion, and no ground whatever for refusing his assent to the proposition which had been stated with so much feeling, and with such great propriety by his noble Friend the President of the Board of Trade with respect to the working classes. He saw no reason to differ from his noble Friend, and could not consent to go into an inquiry which was urged on the principle—a bootless, a fruitless, an endless inquiry, he thought—of raising and settling wages. But then it was said, that his right hon. Friend at the head of the Government had refused to make any announcement of his intentions—had refused in another place to give any pledge as to the conduct of Ministers, and would not agree to any demands, nor give security as to his future proceedings. A more unreasonable demand than to require any such pledge of a Minister was never made, unless indeed the present demand of a similar pledge from Parliament; and not only was it unreasonable to demand such a pledge, it was most unparliamentary. It was never done, and he hoped that neither Parliament nor Government would ever pledge itself for even a short time as to what course of conduct it would adopt. What better security could the noble Earl (Stanhope) have that the law would not be altered, than that the Government said it saw no ground to propose any alteration? His noble Friend (the Earl of Stanhope) said it ought not to be altered: why should it not be if the alteration were necessary? At present the Minister said, that under our present circumstances he saw no occasion which called for an alteration of the bill of last Session, such as his noble Friend desired, who, not contented with that measure, would fall back on the previous law. His noble Friend was not satisfied, and wished to go back to the law of 1828—why not go further back, back to the law of 1815? The change thus proposed was in the worst direction, and he was glad that no pledge was given. He wished for none, and none other could be given than the statement that the Government, as at present advised, did not intend to make any change in the law. On these grounds he regretted very much that his noble Friend had brought forward his motion; who could have no expectation that any thing but disappointment could result from the discussion. Only one benefit could ensue from it to any interest, as was said by his noble Friend the President of the Board of Trade, it would put an end to the panic which was absurdly said to have been caused by the Tariff of last year.

The Earl of *Radnor* rose to object to some of the latter observations of his noble Friend concerning the Anti-Corn-law League, and, condemning its conduct. He thought the observations of his noble Friend were not well founded. His noble Friend did not specify any charges; he alluded to something that had passed—not at the council of the League, not at any of its meetings—but to something which had dropped from a minister of the gospel, and his noble Friend implied that his proceedings were sanctioned and confirmed by the League. He was bound to say, that he could not agree with his noble Friend. In his opinion, it was most unjust to connect the sentiments of that gentleman with the Anti-Corn-law League. It was not his business to defend all the proceedings of the League, but he must say, that he thought its course a most proper one. It had done a great deal of good; it had spread abroad a great deal of useful knowledge, and had made the people acquainted with the demerits of the Corn-law. He saw nothing in its conduct with which to find fault. He did not attempt to reply to his noble Friend; he only wished to say, that it was not fair to attempt to connect what fell from a particular person with the League, which was not responsible for what he brought forward. Now that he was on his legs, he would say one word on the subject of the debate; and first, with respect to the panic, which, as his noble Friend said had been, as he knew, very great; and which his noble Friend said was caused by the law of last year. That he denied. When his noble friend alluded to the panic, did it not occur to him that panics had been common before? Was there never a fall of price on former occasions, and was there not agricultural distress in former years, and agricultural panics? He would refer their Lordships to a speech by a farmers' friend, which he found in the *Farmers' Journal,* supported by farmers' friends, at least he remembered a long list of names of farmers' friends who subscribed to that journal, and in it he found a report of an agricultural meeting at Chelmsford. At that meeting a Mr. Baker had said, that

> "They might depend on it they had not yet seen the lowest prices, they would be lower; they had not yet seen the prices of 1822 and 1835."

There were low prices, then, in 1822 and 1835, and in those years the country, according to his noble Friend, was thriving under the Corn-law which his noble Friend so much admired. His noble Friend wanted to revive the law of 1828, or the law of 1815, but this agricultural gentleman (Mr. Baker) said that they might yet see the same distress as in 1835, under the admired law of his noble Friend. If they got back the law of 1815, might they not have the same distress as in 1822? Mr. Baker went on to say, that in 1822 the farmers lost their profits, and after losing their profit lost their capital. Could those who opposed the repeal of the Corn-laws deny that those losses occurred under their favourite law? It appeared to him, that the distress was not caused by the tariff. In his (the Earl of Radnor's) judgment, it had entirely arisen from the Corn-laws, which had given a great premium to the cultivation of corn by the maintenance of high prices. Last summer there had been an abundant harvest, and in all probability the same would be the case in the present year. Owing to the premium given by the Corn-laws to high prices, agricultural depression would follow, and he had not the slightest doubt, but that for the next two or three years the same agricultural distress would prevail which had been witnessed in the years 1833, 1834, 1835, and 1836, whether there existed a panic or not. With respect to the proposition of the noble Earl at the Table (Earl Stanhope), it was impossible it could be entertained in the view the noble Earl took. He thought with the noble Earl that some inquiry into the cause of the distress, and a remedy for it ought to be instituted; and he had come down to the House prepared with an amendment to that effect to the motion of the noble Earl; but when he perceived that the motion was for an inquiry before the whole House, and not before a select committee, he felt that would be a most unsatisfactory and inconvenient mode of conducting the inquiry, and therefore he should abstain from moving his amendment. He, however thought the state of the country was such that an inquiry ought to be made into it; but not at all in the sense in which the noble Earl now made his proposition. The noble Earl said, that this country was on the eve of revolution, on account of the tariff and the Corn-law of last session, and therefore, that the Government and the Legislature ought to retrace their steps. Why, three or four years ago, according to the noble Earl, the country was on the eve of a revolution and at the brink of ruin; and then he had neither the tariff nor the new Corn-law to complain of. But the noble Earl now proposed to the House to go back and retrace its steps. He said, in the first place, "Give proper remuneration for labour." Were they then to fix by legislation the labourers' wages, as had been done by Acts of Parliament passed 500 years ago? He knew not whether the noble Earl proposed they should retrace their steps so far, or to what period he would go back. The noble Earl disliked machinery, and all the results of machinery. Did the noble Earl ever travel by railway? Was it abhorrent and unpleasing to him to avail himself of the means of transit in two hours and a half to London from his country residence? and was he like a neighbour of his (the Earl of Radnor's), who preferred to rise at five o'clock in the morning, and travel by the aid of post-horses under a hot summer sun, rather than adopt the expedition of the railway? But if the noble Earl would not use railroads, where would he stop? Would he use post-horses? There was a time when post-horses were not known, and when only pack-horses were found on the road. When the noble Earl went to Chevening, would he forsake the well-made turnpike road and take to some bridle-paths where only pack-horses could travel. If his noble Friend were consistent, he should retrace his steps, and not stop till he got rid of all kinds of machinery. He wished for an inquiry, but for a reason entirely opposite to the reason of his noble Friend. He did not wish to retrace any steps; he would go at once for a repeal of the Corn-laws, and would have no Corn-laws whatever. His noble Friend the President of the Board of Trade did not act up to his principles. He talked of the principles of free-trade, but his practises fell very far short of his principles. What the principle of the tariff was, he did not know. He knew that, far from being founded on a principle of free-trade, as it was introduced into Parliament it contained one of the most objectionable principles that ever was introduced into any law—the principle of a differential duty on every article of commerce. That principle, however, was given up. In that House, there had been but little discussion on the tariff; and he did not know what their Lordships thought was its principle, but he had heard that one of its principles was that the duty on every article should bear a certain proportion to the price. He should be glad to know from his noble Friend on the cross-benches (Lord Beaumont) on what principle he would give more protection. There was now no free-trade. It was not in the tariff—it was not in the Corn-laws—and as on the present occasion there was no attempt made to promote free-trade, he saw no reason why he should not vote with the President of the Board of Trade, and against his noble Friend (the Earl of Stanhope). He wished to see their Lordships adopt the principles of free-trade, and without that he was afraid there would be no settlement. At present great pains were taken to stimulate cultivation. The farmers were called on to under-drain, to extend their cultivation; but if they followed this advice, and the farmers cultivated more, they would be ruined. If they had afterwards a bad harvest they might be again prosperous, but after a few years, when abundant harvests intervene, great agricultural distress would ensue. Abundant harvests, which were so beneficial to the community, caused distress to the agriculturists. [" No, no."] It was so. The agriculturists were now distressed—and distressed by the good harvest of last year. [" No, no."] It will not be denied. The Government could not deny it; for the Government had ordained a prayer for an abundant harvest, and that existed in conjunction with agricultural distress. If they went on cultivating more, they would not prevent distress, and in three or four years, they would find the farmers, as formerly, giving their wheat to feed their horses and pigs, and then wheat, not paying the expense of cultivation, would not be cultivated; and then bad harvests would come, and the manufacturers would be distressed. When a rise took place in the price of corn, and the agriculturists were again prosperous, then the other classes would suffer, and there would be nothing but alternations of agricultural and manufacturing distress. As they were encouraging the culture of wheat in this country, so our high prices were increasing its cultivation on the Continent. He had seen in the *Mark-lane Express*, a journal favourable to the agricultural interests, on account by a person who had travelled on the Continent of the cultivation of wheat being much increased there, in order to grow it for our markets. In Germany, too, wheat had been so extensively cultivated that the price of potatoes had risen 50 per cent., and the price of rye had risen prodigiously. He mentioned this, because, in the discussion last year, rye had been quoted as a species of produce which varied in the price as much as wheat; but now they might see why the price of rye had increased. He had been led further into this subject than he intended, but he must add, that if they wished to see agricultural distress terminated, and wished to see manufactures flourish, he would advise the Government to take immediate steps for repealing the Corn-law altogether. If they did that, it was his opinion, that in a short period prices would be so low, that they need not fear the introduction of any great quantity of foreign produce They had been going on for twenty years doing mischief by these laws; in fact, they had done all the mischief possible by their legislation, and he advised them not to enter into any new course of legislation — not to make new laws, but to put an end to the existing Corn-laws.

Lord *Brougham*, in explanation, begged to remark, in order to set himself right with his noble Friend, that what he had stated with reference to the Anti-Corn-law League was this:—He disapproved of many of their proceedings, and of those of some of the agents in their employ. He had said he was quite certain that the very respectable persons—the principal members of the League, were quite incapable of using the language which some of their agents had made use of but he disapproved of many of the means taken by them through their agents for creating violent feelings, which were likely to break out in outrage. He had not alluded particularly to the language used by the rev. gentleman to whom he had adverted, because, although it was used at an Anti-Corn-law meeting, it was not at a meeting of the League; but having heard of those violent expressions, he felt he should not have discharged his duty if he did not express his entire disapprobation of them. He thought their absurdity even greater than their violence. He need only refer to the statement made at one of their meetings, that deeds were wanted, and not words; and to the speech of an Anti-Corn-law lecturer of the League in London who said, " What can be expected from the Duke" (the illustrious individual opposite), " a person who massacred men, women, and children, for three days and nights at the storming of Salamanca?" now there was no storming of Salamanca, but an engagement in the open field, being one of the noble Duke's most glorious triumphs, who then walked into Salamanca; but the allusion, he was told, was not to the storming of Salamanca, but an equally groundless reference to the storming elsewhere of a Whig commander, who was, he believed, an Anti-Corn-law leaguer himself, a gallant Friend of his, wholly incapable of permitting one single outrage of any kind among those whom he led to victory.

Lord *Ashburton* did not expect that the motion of the noble Earl would bring on a general discussion on the tariff, and on that alteration of the Corn-law which had been made in his absence from the country, or he should have been better prepared to take part in it. He would make one or two observations. He congratulated his noble Friend opposite (Lord Radnor), who had in his prophecy of the coming harvests shown himself quite as great a man as Murphy himself. The noble Earl wished to caution the farmers against abundant harvests and low prices, he would rather caution those farmers against over confidence in the predictions of the noble Earl, but he must say, if abundant harvests created low prices, no person would see them with greater pleasure than he should. He was at the same time quite sure that if we had abundant harvests and low prices, that there was no propriety in allowing the condition of our own farmers to be damaged by bringing in a great quantity of foreign produce to add to the abundance. The great corn-growing countries of the Continent raised wheat as a merchandize, and not for the food of their people. Poland and Russia, and other countries, grew wheat for exportation, and the people did not consume it. If they abandoned the law, then there would be a great importation of wheat from the Continent, notwithstanding it might not now be wanted, and they owed it to the protection of the law that we were not deluged with wheat from abroad. On the great question of free-trade, he must say that he was no bigot, but he had always thought that those general principles must be modified by the circumstances and condition of the country. As his noble Friend said, he admitted we had no free-trade. To talk in our country of doing away with all restrictions, and allowing the free importation and exportation of all commodities, while we had, as Mr. Huskisson said, to levy duties and taxes to the amount of 50,000,000*l.* sterling., to talk of at once doing away all restrictions, was, indeed, an act of idiotcy. He said it with the greatest respect for the opinions of individuals; but he must repeat, that to talk of free-trade under these circumstances, was an act of idiotcy. If, indeed, all the states of Europe had a free communication one with another, if they were all combined as in Germany, under the Zollverein, under our own system, they might have free-trade; but in this country, so differently situated, and in such a peculiar financial condition, it was impossible to adopt the pure and level system of free-trade. There were several articles, such as tobacco, which would grow in this country, but which must not be cultivated. Beet-root, too, for making sugar, could not be grown here as in France. Again, one of the principal growths of this country was barley, it might be called, considering the great quantity of light land in this country, as peculiarly adapted to it, but what a tremendous impost existed on that commodity in one shape or other before it reached the consumer. He believed that it was not possible to find the growth of any country so heavily taxed. When they considered, too, the heavy charges on the land for maintaining the poor and the Church, which was exclusively supported by the land, they must see that the application of the pure principles of free-trade, under such circumstances, was impracticable. He said, as Mr. Huskisson said in his hearing, and probably in the hearing of his noble Friend (Lord Brougham), that, "In our artificial condition, with our complex relations and vast taxation, it was not possible to establish a complete freedom of trade." It was said by his noble Friend that there was no certainty for the landed interest, because the Government would not declare its intentions. He admitted that it was of great importance to the landed interest and to every other interest not to be exposed year after year to the system being upset on which they founded their proceedings. At the same time the Government did not profess to alter the system, though it would not pledge itself never to alter it. The Government said it would not make an alteration now. That was satisfactory. The Government said it had no intention to alter the law this year; and if his noble Friend had implied as was insinuated, that he was prepared to alter it next year, the country might with reason complain. But such was not the case; and his noble Friend had not implied that it was the intention of the Government at any future year to make any further alteration in the law. The constant repetition of radical changes, affecting the great interests of the country, was highly to be deprecated. In the position in which this country now stood, something of protection for land, some equivalent for the peculiar charges to which land was liable, something which should keep the property of the country in something like the proportion in which it stood at present, was essential for the interests of all; and more especially for the interest of the working classes, the industrious bees of the hive, who would be more damaged by any rash measure affecting the property of the country than any other class.

The Marquess of *Clanricarde* did not

think that the burthens, said to be peculiar to land, were so exclusively borne by the landowners as to entitle them to exclusive protection. It might be very true that to let things come in and go out without any duty of any sort whatever would be very absurd, but the advocates of free-trade contemplated no such thing. Those who were contending for greater freedom of trade, desired that as far as possible differential duties should be done away with, that as far as possible monopolies should be abolished, that protection should be abated, and that duties should be levied only with a view to revenue. Throughout Ireland the question had been put to him, what are Ministers going to do with the Corn-laws? and nobody seemed to have any fixed notion on the subject. The matter was hardly clearer now, though no doubt a very clear answer so far had been given, that Government did not mean to make any alteration in the Corn-laws this session—this session, were the words. But at the same time, it was impossible to deny that the state of this law was such, that the feeling of all parties and persons upon it was that there would be an alteration before long. The noble Lord opposite might say he was satisfied with the answer which had been given; but he would ask the noble Lord, did he think there was at this moment a landlord, a farmer in the country, who could with confidence settle a lease, who could let or take land, with a conviction that the rent paid for it was fair for both parties, looking forward to the next ten years? He entirely concurred with the noble Earl near him, as to the prospects of agriculture for the next year. As to the proposed committee, he would have voted for it had he thought it calculated to effect any beneficial object, but he did not regard it as so calculated and he could not support it. He thought that the great fault of the Government throughout was, that they were not sufficiently alive to the actual state of the lower classes. He was ready to believe they sympathised in the distress which had prevailed; but they did not attempt to remedy it by freeing the springs of trade and commerce in the only practical way by effectually settling the Corn-law; but assuredly if they did not soon take decided steps for relieving trade and commerce, the country would be placed in a state of danger, the degree of which had hardly been exaggerated by the noble Earl. When they came to inquire into the Corn-law, they would find that the operation of the law had been injurious to all parties.

Earl *Stanhope* replied—His noble Friend at the head of the Board of Trade had admitted the distress, but neither he nor any other noble Lord had attempted to explain the cause of that distress. Upon the subject of the Corn-laws he asserted that although the effect of the repeal of the Corn-laws would be revolution, yet in the end it would establish to its full extent the protective system of our ancestors. He had thought it his duty to bring forward the motion which he had submitted to their Lordships on behalf of all the interests in the country, for every interest was directly or indirectly concerned in it.

Their Lordships divided, Contents 4; Not contents 25; Majority 21.

Adjourned.

The following Protest against the rejection of the motion was entered.

DISSENTIENT.

1. Because under the present circumstances of the country it is the bounden duty of Parliament to take into its immediate and most serious consideration the means of providing for the profitable employment of the productive classes, and for the due remuneration of their industry.

2. Because the discharge of that duty is most urgently requisite, as many of the productive classes have by legislative measures been recently deprived to a very considerable extent of the protection which their industry formerly enjoyed, and which they have an undoubted right to claim.

3. Because that reduction of their protection has been very injurious to many of the productive classes, by depriving them of employment, or by diminishing their profits, or their wages, and they are therefore entitled to demand redress, which cannot be refused without flagrant injustice.

4. Because the grievous distress and destitution which many of the productive classes now suffer must produce just and general discontent, and redress cannot be delayed without imminent danger to all classes of the community.

5. Because there exists no reasonable expectation that the prosperity of this country can be restored, that its peace can be preserved, or that profitable employment, with due remuneration, can be provided for the productive classes, unless full protection should

be given to their industry and to the rights of labour.

STANHOPE.

KENYON, for all the 1st reason except that part which calls on Parliament to provide due remuneration for labour, which, I fear is beyond the power of Parliament; and for the 3d reason.

HOUSE OF COMMONS,

Thursday, February 9, 1843.

MINUTES.] BILLS. *Public.*—1°. Medical Charities (Ireland); Ecclesiastical Courts.

PETITIONS PRESENTED. By Sir R. Inglis, from the Rural Deanery of South West Stoke, and from Norwich, by Mr. Trotter, from Abergele, by Lord R. Grosvenor, from Chester, and by other hon. Members, from Denbigh, Llanrwst, St. George, Denbigh, County of Denbigh, Wells, Llantysilio, Llanelidan, Yspytty, Llanfair Dylfryn Clwyd, for the Repeal of the 6 and 7 Will. 4th, c. 77, so far as relates to the Union of the Sees of Bangor and St. Asaph.—By Mr. T. Duncombe, from Kingston-upon-Hull, from Meetings at Loughborough, Marylebone, Norwich, Barnsley, and Newport (Isle of Wight), for Inquiry into the Proceedings of the late Special Commission. —By Mr. Ferrand, from Miners of Coat Bridge, for an Alteration in the system of Weighing their Work.—By an hon. Member, from the Board of Guardians of the Tipperary Union, for Amendment of the Poor Relief (Ireland) Act; and from Newbattle Colliery, for the Repeal of the Mines and Collieries Act.

DISTRESS OF THE COUNTRY—RULES FOR NOTICES.] Mr. *Ferrand* gave notice that when the hon. Member for Wolverhampton brought forward his motion for the repeal of the Corn-laws, he would move the following amendment:—

"That this House is of opinion that the total repeal of the Corn-laws, instead of diminishing the present depression of trade, and the dreadful sufferings of the working classes, would tend greatly to increase the shock lately given to all those whose modes of thinking, feeling, and business have been regulated by living under a wise and benignant constitution, which has till lately, recognised the rights of property, the protection of industry, and the just and equitable requital of labour; under which great and extensive interests have grown up both in the agricultural, commercial, and manufacturing property of the country; and that the preposterous conception of the present depression in trade being caused by the Corn-laws cannot have a place anywhere, except possibly in the minds of a few among our own countrymen, hard pressed by the recent complications of commercial disaster, and predisposed accordingly to the most doleful imaginations, or of discarded ministers and greedy expectants of office. That a gambling principle has of late years entered into trade, which has been exhibited by the failure, to the amount of 800,000*l.*, of the Manchester Joint-stock Bank, known by the name of 'The Bank of Squander;' aided by the wholesale 'immigration' of labourers from the southern counties into the manufacturing districts, through the agency and at the express request of some of the Lancashire millowners, as is shown in their correspondence with the Poor-law Commissioners, wherein they undertook to absorb the surplus population of the south; and that this gambling system has widely extended the sharp and rapidly increasing sufferings of all classes in the manufacturing districts, enlarged by the breadth of the changes effected in our agricultural and commercial system under the new tariff. That the system lately introduced by many of the manufacturers in this country, of never recognising the principle that trade can only be healthy and prosperous when the supply keeps pace with the demand, has had a fatally paralysing influence upon all descriptions of trade, whilst the introduction of the power-loom, and the combing-machine have crippled to an astounding degree the industry of the manufacturing operatives, placed their labour at the mercy of their masters, and inflicted the most horrible sufferings on our high-hearted labouring population, by forcing that competition among them for employment, which is already keen and restless, altogether ruinous and destructive. That the sudden and splendid opulence lately acquired by many of the manufacturers of this country has been obtained by denying to labour its just requital, by grinding down the operatives into the dust for the purpose of 'equalizing wages,' by the swindling truck system, and by destroying manual labour with the introduction of steam machinery, which has rendered reckless so many labourers, that heretofore had never quailed under misfortunes, nor ceased for a moment to place their trusts, so far as regarded human means, in their own dauntless spirit, their skilful fingers, and their indefatigable arms. That the period, foretold by the late Sir Robert Peel has at length arrived, when the indiscriminate and unlimited employment of the poor has been, and is attended with effects so serious and alarming, that they cannot be contemplated without dismay; that the machinery of our manufactures has been brought to such perfection, that instead of being a blessing to the nation, it had been converted into the bitterest curse; and that as Parliament is omnipotent to protect, so is it bound under the most sacred obligations to deliver the poor out of the hands of their oppressors."

Sir *R. Inglis* said, that, before the notice was entered on the books, he begged to call the hon. Member's attention to one expression contained in it, and which he believed the hon. Member, if he reconsidered it, would not allow to remain. He alluded to the description of the Manchester Commercial Bank as the "Bank of Squander." He submitted to the hon. Member that it would be inexpedient to place upon the records of the House words like that, affecting the character of a public body.

Mr. *Ferrand* did not know whether he should be in order if he were to offer a few words in explanation. The description of the bank, to which the hon. Member objected, was applied to it by Mr. Greg, of Manchester, who was one of the proprietors.

Mr. *Roebuck* asked whether it were in accordance with the rules of the House that, under the guise of putting a notice on the books, an hon. Member should print a political pamphlet.

The *Speaker*: That certainly would not be in accordance with the rules of the House. He had not collected the whole of the hon. Member's notice, but from what he had heard, it appeared to him that it was not the sort of notice which was sanctioned by the rules of the House, and he thought the hon. Member would act wisely if he withdrew it for the purpose of reconsidering it.

Notice withdrawn.

REGISTRATION OF VOTERS (IRELAND.)] Mr. *S. O'Brien* asked whether the Government intended to bring in a bill for regulating the elective franchise in Ireland.

Sir *J. Graham* said, he had already announced that it was the intention of the Government to introduce a Bill respecting the registration of voters in England, and it was also their intention to bring forward a Bill on the subject of the registration of voters in Ireland. In that Bill the Government would deal with the franchise as they might deem expedient.

AFFAIRS OF SYRIA.] Sir *C. Napier* asked whether the right hon. Baronet was in possession of information which would enable him to state that the Turkish government had made compensation to the Emir Beschir, and to the inhabitants of the Lebanon, for the property which was destroyed during the late war in Syria?

Sir *R. Peel* replied, that her Majesty's Government had constantly urged on the government of the Porte the justice and necessity of making compensation for the losses sustained by the Syrian population during the war. Her Majesty's Government had frequently received assurances from the government of the Porte, that in some cases full reparation had been made, and that other cases were under consideration. Since the hon. and gallant Member asked a question on a former evening respecting the Emir Beschir, the Government had received a communication from Sir Stratford Canning at Constantinople, the substance of which, as regarded the Emir, he had no objection to state to the House. Sir Stratford Canning had availed himself of every opportunity of pressing on the government of the Porte the necessity of settling the claims of the Emir Beschir. In Turkey, however, as in other countries, claims were contested, and it happened that the Turkish government disputed the amount of the Emir Beschir's claim, and considerable delay had consequently arisen; but Sir S. Canning, in his last communication, received on the 6th February, said that the Effendi had stated, in answer to a question put by him, that a firman had been issued for making compensation to the sufferers in the late troubles, out of a tribute about to be raised. Of course, he could not make himself responsible in the matter; he could only say, that the British Government lost no opportunity of pressing on the government of the Porte the necessity of making compensation to the Emir Beschir, as well as to the inhabitants of the Lebanon generally, for the losses sustained by them.

Dr. *Bowring* wished, while they were on the subject of Syria, to put a question to the right hon. Baronet. A chief named Achmet Reschid had, in consequence of our interference at Constantinople, been nominated to the government of a district in Syria. He (Dr. Bowring) had been given to understand that this chief was set aside and imprisoned by order of the Turkish government of Syria. He wanted to know if the right hon. Baronet had any knowledge of the fact?

Sir *R. Peel* hoped he was not to be made responsible for the acts of other governments. The British Government would use its influence to induce the government of the Porte to keep its engagements; but he hoped hon. Gentlemen would act upon their own doctrine of non-intervention, and not press him to speak, as if they considered him the minister of the Porte, and responsible for the acts of that government. He could only say, that the influence of the British Government should be exerted to the utmost to induce the Porte to fulfil the engagements which it had made; but he would not go a step further; he disclaimed all responsibility for the acts of the Turkish government.

Sir *C. Napier* said, that a considerable portion of the property of the inhabitants of the Lebanon had been destroyed by the troops under his command, by his orders. He wished to know in the event of the Turkish government refusing compensation on that account, whether the British Government would consider itself bound to make it?

Sir *R. Peel* said, he was not prepared to contract any engagements of that kind. He apprehended that we interfered for the purpose of restoring the dominion of the Porte in Syria; Turkey gladly availed herself of our assistance, and the result was the establishment of the supremacy of her power. He thought, therefore, that, as far as considerations of equity went, Turkey ought to make the required compensation. It was rather too much to ask him to make compensation for acts which were considered necessary for the establishment of Turkish supremacy. If the gallant Officer would favour him with an account of the details of his operations, and the extent of the damage he had done, he (Sir R. Peel) would undertake to submit it to the consideration of the Porte.

CHURCH EXTENSION.] Mr. *Hawes* asked what course the Government intended to take upon the subject of Church Extension?

Sir *R. Peel* said, the hon. Member should receive ample notice of any measure which the Government intended to introduce upon the subject. In the course of last Session, he (Sir R. Peel) had stated that the superintendence of the spiritual wants of some districts, particularly the great manufacturing towns, deserved, and should receive, the utmost consideration on the part of the Government, and, certainly, the events which occurred last autumn had only tended to confirm the opinion he then expressed. The subject had occupied the attention of the Government. He was aware of the inconvenience arising from making statements in answer to questions. He knew the misconstruction to which he would be liable if he merely stated, that it was the intention of the Government to bring forward a measure for Church Extension. It would at once be supposed that he meant to propose large grants from the public funds for that object. He hoped to be able to call the attention of the House to the subject, which he considered one of the utmost importance; but the principle of any measure which he might propose would be to make as available as possible for present wants and exigencies those growing revenues which, there was ground for believing, would be, though at a rather remote period, at the disposal of the ecclesiastical commissioners. Much might be effected by taking advantage of the credit of the revenues which would ultimately accrue in the hands of the ecclesiastical commissioners, for the purpose of supplying present deficiencies. When he should bring forward the measure, he trusted it would receive the willing assent and co-operation of all those who were desirous of remedying the great evils which arose, in populous districts, from the want of religious instruction.

PETITIONS—COMMITTEE.] Mr. *G. W. Wood* moved the reappointment of a

"Select committee, to whom shall be referred all petitions presented to the House, with the exception of such as complain of undue returns, or relate to private bills; and that such committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents and do report the same from time to time to the House; and that such reports do in all cases set forth the number of signatures to each petition:—And that such committee have power to direct the printing *in extenso* of such petitions, or of such parts of petitions, as shall appear to require it:—And that such committee have power to report their observations thereupon to the House."

The hon. Member moved that the following Members constitute the committee:

"Mr. George William Wood, Sir Robert Harry Inglis, Mr. Edward Buller, Mr. Brotherton, Mr. Owen Stanley, Mr. Pusey, Mr. Charles Howard, Mr. Villiers Stuart, Captain Jones, Viscount Duncan, Earl of Arundel and Surrey, Mr. Buckley, Lord Courtenay, Mr. William Hamilton, and Mr. Cripps."

Mr. *Williams* said, he attached, perhaps, more importance to this committee than many hon. Members might do, and he therefore wished to express his regret to see upon the proposed committee the names of several Gentlemen who he believed would not give their attendance, several who were on the committee last year, and never came near it once. As a general rule, indeed, he believed that committees appointed by private Members were entitled to very little confidence. A committee of this importance ought not to be composed with a view to the conciliation of purely party feelings. Some person ought to be placed there in whom the people at large felt confidence. He wished to see a better system adopted, in the place of the slovenly one that now prevailed. He hoped the hon. Gentleman would not press his motion at present, but reconsider it, and bring it forward on some future evening.

Mr. *Wallace* considered the committee as of no importance at all. The people had no confidence in the manner in which their petitions were treated, and he for one cared nothing about how the committee was composed. They ought to resort to the practice that was formerly customary, of discussing petitions on presentation; until that was done it was impossible the people should take any interest in the matter. Nor aught they. He had made a motion last year to return to the ancient practice, but the majority by which he had been defeated was so large that he felt unwilling to revive the motion, though he had at the time given notice that he would do so in the course of the present Session. He would not, however, let the matter drop, but would apply for some committee that should enquire whether some plan might not be suggested that would give Members a greater latitude than they now enjoyed. He frequently availed himself of his privilege of taking strangers to the gallery, and when he did so, he never failed to direct their attention to the manner in which the petitions of the people were crammed into the big bag, and he could very well sympathize with the disgust which people felt and expressed in seeing the petitions dealt with in that manner. For his own part, he cared so little about the construction of this committee, that if his hon. Friend were to divide the House on the subject, he would not take the trouble of dividing with him.

Mr. *G. W. Wood* regretted to find that the proposed list had not given satisfaction to the hon. Member for Coventry. There was certainly one omission which he (Mr. Wood) was sorry for, but he could assure the House it was the result of mere inadvertency. He had really believed the name of the hon. Member for Coventry had been upon the list, and it was certainly his wish that it should stand there. He was surprised, however, that the hon. Gentleman should have spoken with so much severity of the committee. The hon. Gentleman was constant in his attendance on the committee last year, and never complained then of the manner in which the business was transacted there.

Mr. *Hume* thought the committee too numerous. If they wanted to have the work well done, they ought to have the responsibility less divided. For his own part he thought the committee ought to be limited to five.

Committee appointed.

Mr. *G. W. Wood* moved that the name of the hon. Member for Coventry be added to the committee.

Mr. *Williams* said he should decidedly object to that motion.

The *Speaker* said that the motion could not be put without a regular notice.

Ecclesiastical Courts.] *Dr. Nicholl* rose, pursuant to the announcement in her Majesty's Speech, that measures for the improvement of the administration of the law would be submitted to Parliament, and in discharge of a duty cast upon him by the Government, to move for leave to bring in a bill to carry into effect certain recommendations of the Ecclesiastical Commissioners relating to the administration of justice in the ecclesiastical courts in England and Wales. The jurisdiction in those courts was of a mixed spiritual and temporal character. The spiritual inherent in the Episcopal, hardly came within the scope of Parliamentary legislation—the temporal derived from the law and custom of the land. The latter related chiefly, though by no means exclusively, to matrimonial contracts and testamentary cases. He conceived that the jurisdiction in matrimonial contracts was given to the ecclesiastical courts, partly in consequence of the fact that marriage at that period was regarded as a sacrament, and partly because the marriage law was chiefly founded on the canon law, a foreign law, adopted in part as the law of England, but little known to English lawyers or courts—only to be found in manuscript, or handed down by oral tradition. In the present day, however, marriage was, by the law of England, no longer regarded as a sacrament. Its validity or invalidity rested not on the canon manuscript law, but the statute law of the land, and on decided cases—it was dry question of law—the decisions must be according to that law—there was no discretion in the judge, nor had the courts had jurisdiction to release parties *a vinculo matrimonii*. All they had now to do in that respect was to inquire whether the marriage contract had been entered into according to the forms prescribed by the law of the land, or whether either party had been released by the misconduct of the other from the duty of cohabitation and maintenance. But suits of this nature involved questions affecting the most important interests of not only the immediate parties to them, but also their descendants, not merely rights of property, but of personal status and legitimacy. Suits were frequently carried on with great acrimony on both sides, and gave rise to questions of great nicety and delicacy in which the passions and feelings of the parties were much excited—where large masses of conflicting evidence were introduced, requiring on the part of the judge great knowledge of the law and principles of evidence—great power of sifting and weighing testimony, and the correct adjudication of which required an accurate knowledge of human nature, and of the springs of human action. Any one who recollected the celebrated judgments by Lord Stowell, in the cases of "Dalrymple v. Dalrymple" and "Evans v. Evans" must feel convinced that the judges of the courts in which they were decided required abilities and qualifications of the highest order. The next matters which had hitherto been confided to the jurisdiction of ecclesiastical courts, were testamentary cases. These came under such jurisdiction at a period when the bishops claimed the right to apply the property of intestate persons to pious uses, without even paying their debts. In the course of time, this claim had been considerably limited, the bishops were first obliged to pay the debts of the intestate out of his property before any of it could be applied to pious uses. Subsequent restrictions had, however, required that the property of the intestate should be distributed according to his will, and lastly, that it should be distributed to his widow and children, or next of kin; and, failing these, should go to the Crown. At the present day, then the basis and reason on which testamentary matters were referred to the jurisdiction of the ecclesiastical courts had ceased to exist. Another reason why they should not be allowed to remain under the present jurisdiction was the large amount of property for which probate was now taken, compared with what it had been formerly. In the years 1826, 1827, and 1828, or 1827, 1828, 1829, he did not recollect which, the average annual amount for which probate had been taken out in the prerogative Court of Canterbury alone, was not less than 43,000,000*l*. Suitors in courts in which questions affecting property to such large amounts were raised, ought to have the advantages of able judges instructed by able counsel, and practitioners constantly engaged in such matters attending courts, where questions relating to them were publicly discussed and decided, and in which there was sufficient business to keep up their knowledge of law. The want of such a tribunal occasioned discontent and dissatisfaction—miscarriage of justice — multiplication of appeals were carried on to a final hearing, which a properly appointed court would have decided on points preliminary to the merits of the case. At present, there were not less in England and Wales than 400 courts having jurisdiction to grant probates and administrations. They consisted of Archiepiscopal courts, bishops' courts, diaconal courts, archidiaconal courts, subdiaconal courts, county courts, manorial and other courts. In many instances there were so many as three successive appeals, not merely upon the final sentence and on points deciding the real question at issue, but on every successive intermediate judicial act; an appeal from the Archdeacon to the Chancellor, from the Chancellor to the Arches, from the Arches to the judicial Committee, and previously to the appointment of that committee, there might have been an application to the Chancellor for a commission of review. There was a case in which the cause had originally commenced in the Archdeacon's Court at Totness, and thence there had been an appeal to the Court at Exeter, thence to the Arches, and thence to the Delegates; and all these proceedings had taken place while the question at issue was simply, which of two persons had the right of hanging his hat on a particular peg in the Church. These courts not only had to decide on the validity, but on the construction of wills. The question whether an individual was executor according to the tenor or not, was one which they must decide, as the foundation of the original grant; and if they decided it wrongly the handle of the property was given to parties who had no right to it, and who would not have to render the security required in the case of an administrator. Again, the next of kin being entitled to administration in the event of there being no executor, or no one willing to take it, or no general residuary legatee (who was entitled to exclude the next of kin)— a question might arise upon the residuary clause, whether it were general or limited, the decision upon that point involved not only the right of the person to administer the estate, but it generally went out to the world that whoever got the grant had obtained the position of residuary legatee. So, again, as to the questions upon the execution of wills under the new act—questions which were most difficult and delicate, and which arose daily in great numbers. In the Prerogative Court, when the doubt arose as to whether a will had been duly executed, the registrar took the objection, counsel were consulted—the matter was brought before the Court, and it was duly and publicly decided; whereas, in the country, these questions were disposed of by registrars in their chambers, with no means of advice or assistance. If probate were unduly granted or unduly refused, the property went in the wrong direction, and the error must be corrected by an expensive litigation. Surely there was ample proof of the necessity of some adequate tribunal to decide such questions. It was of the utmost importance that uniformity and accuracy of determination should prevail; but, unfortunately, sometimes where the superior judge, after careful consideration had pronounced a solemn adjudication, inferior judges refused to be guided by it. Difficulties arose too, from the multiplicity of their courts, as to searches for wills. It was almost impossible to know where a will should be looked for, unless a very recent one; yet it constantly happened that it was absolutely necessary in legal proceedings to know not only whether a will had been proved, but where, and how, and whether by competent authority. The custody of these documents was also most insecure and unsatisfactory. In too many places copies were not registered, and the originals were exposed to injury from damp, danger from fire, and ravages of rats. Besides, persons who went to inquire about wills, if there were not copies, must be shown the originals, which had thus no protection from injury, interpolation, or abstraction; casualties which, in some cases, they had actually undergone. Another point was the insecurity of the grant of probate when made. If a person died possessed of personalty to the value of 5*l*., in any other jurisdiction than that in which he died, prerogative probate was required, which, if granted improperly, was only voidable, and all mesne acts were good; but if a country court granted probate improperly, it was absolutely void, and all payments to executors or administrators were liable to be demanded over again. And this question did not arise on points easily discernible at the time, for whereas simple contract debts founded the jurisdiction where the debtor was at the time of death living, specialties were confined to the jurisdictions in which they were deposited at that moment; often questions very embarrassing arose here: of policies of insurance, for instance, some were simple contracts only, while others were under seal. The consequence of these difficulties was that, for instance, the Bank refused to transfer on any probate except prerogative; and the Court of Chancery acted on the same principle. Again, if the property were in two provinces, double probate was required; entailing, of course, double expense, delay, and trouble. The offices in these courts were also in a very unsatisfactory state. He spoke of the period when the commission made its report, as the courts had then been represented in their natural condition, unprepared for observation and inquiry. The sinecure registrarships alone cost the country 28,000*l*. a-year: the deputy registrarship, in addition, was 15,000*l*. a-year: the judgeships, exclusive of the provincial courts, were almost entirely sinecures, and cost 9,500*l*. per annum. He would not inquire who held these offices, or into the nature of the cases decided by those gentlemen. The great mass of the important testamentary and matrimonial causes were decided in the London courts, while the causes as to brawling, defamation, and similar proceedings, open to risk of persecution, were decided in the country. Of causes on defamation, there were, during the three years 1827–8–9, in London only three, in the country 328; for brawling, in London five, seventeen in the country; and of persons imprisoned in consequence of proceedings in the ecclesiastical courts, in London there were two, in the country sixty-seven. This showed that in London, where gentlemen of character and education practised as advocates, and judges exercised a proper degree of control, these species of cases were generally nipped in the bud, while in the country they came to perfection. It was the object of the measure he had the honour of proposing, to remedy the great mass of these serious evils, and he hoped it would do so effectually. His plan was to divide the ecclesiastical jurisdiction into that which was mixed or temporal, and that which was purely spiritual in its nature. The whole of the temporal jurisdiction he proposed to transfer to London, to a court of which the judge was to be appointed by her Majesty, with an appeal to the Queen in council. The spiritual part of the jurisdiction, such as correction of clerks and church discipline properly so called he would leave to the bishops, to be exercised in the provincial and diocesan courts, with an appeal to the archbishop, and thence to the Queen in council: "in all cases and over all persons ecclesiastical and civil within these dominions supreme." He proposed to abolish all peculiars, and to render them subject to the ordinary jurisdiction of the archbishop of the province, the bishop of the diocese, and the archdeacon of the archdeaconry within which they are respectively situated; this provision to extend not only to other peculiars, but also to those of the archbishops and bishops which had been exempted from the Clergy Residence Bill, the Pluralities Bill, and other measures. The bishop's court was to have jurisdiction in and throughout the diocese, and to be the court of all the archdeacons of the diocese. The first of these provisions was strictly in conformity with the Act of Parliament introduced by the noble Lord the Member for the City of London, for carrying into effect the first report of the ecclesiastical commissioners, and the operation of that act had only been suspended from 1836 to the present time as to the jurisdiction of ecclesiastical courts, in anticipation that some sweeping measure of reform would be introduced in the ecclesiastical courts. To the vicar-general of each province an appeal would lie from the diocesan courts. The only courts to be retained would be the court of the Master of the Faculties—the court of the Vicar-general of each province, and a court for each diocese, including separate courts for the dioceses of Bangor and Saint Asaph, and separate courts for Bristol and Gloucester. He believed the whole number of the courts would be under thirty, instead of about four hundred, as at present, the judges and all the officers of which were to execute their duties in person and not by deputy, and to be paid by salaries, while the fees were to be brought to a general fee fund, and he thought he might assure the House that there would be a large eventual saving from this measure. With the exception of this spiritual jurisdiction and of the jurisdiction in tithes and defamation, which would be entirely abolished, and in certain cases, which the bishop might, unless either party dissented, refer to his chancellor or a barrister, whose decision would be final and without appeal, all other matters of contentious jurisdiction were to be transferred to the London courts, from which, or under the authority of which, all wills and probates were to issue. The processes of the court were to extend throughout the whole of England and Wales, thus getting rid of all the difficulties which arose under the present system. As in cases where the property was of small amount, it was supposed that parties might prefer resort to the diocesan court to prove or to see the wills in which they were interested, he proposed that in properties of limited amount, sworn under the value of 300*l.*, wheresoever the effects were situated, parties should have the option of resorting to the London or to the diocesan court. In such cases, the diocesan court would have power, as a branch registry of the London court, and under a branch seal of the London court, and in the name of her Majesty, to issue probates and administration, and do all the necessary business with respect to them. Machinery, into the detail of which he would not go, was proposed to be introduced, to secure, as far as possible, adequate control and uniformity in the practice of these courts. Country proctors, under certain regulations, were to be admitted as proctors of the London court, and to have the right to practise in all matters to the same extent as the proctors of the London court. Being admitted proctors of that court, they might either continue, if they pleased, to practise in the country, or, if they thought fit to do so, come up to London. As to the smaller properties under 300*l.*, he proposed that the proctors who remained in the country, and who would not be qualified to be admitted to the London court, should have exclusive jurisdiction of proving them in the branch registries. He should have stated that it was proposed that copies of all wills proved in London under 300*l.* should be transmitted to the country, and copies of all wills under 300*l.* proved in the country, should be transmitted to London; and that original wills under 300*l.* should be retained and registered in the country, provision being made to secure good and careful custody in every case. As to wills above 300*l.* proved in London, an abstract of the principal features was to be sent down to the country for the information of all parties who might be interested in them. All grants already made, which, from want of jurisdiction in the court from which they issued, were made valid, unless already in litigation or abandoned. The jurisdiction in defamation, in tithes, and in smiters in churchyards, was abolished, and the statute of Edward 6th was repealed. The law, with respect to inventories and accounts—administration bonds and sequestrations was amended, simplified, and rendered more effective. As to the process of the superior courts, the House was aware, that formerly ecclesiastical process issued by the writ *de excommunicatio capiendo.* In 1812, the writ was changed to one of *de contumace capiendo,* a mere mutation of term without any change in the effect. One object of the present bill was to remove all that cumbrous and circuitous machinery, and to give the Queen's Court the same power of attachment and committal possessed by the High Court of Admiralty, and upon the same footing, and in addition, as the Admiralty possessed a power of selling the ship, the Ecclesiastical Court in London, it was proposed, would be clothed with the power of issuing a certificate to the Court of Chancery, and then a writ of *sequestrari facias* would issue from that court, as was already provided for in certain cases, and that writ would extend equally to persons having privilege of Parliament as to those who had not. There would also be a power of granting issues, of examining witnesses *viva voce,* of discharging persons imprisoned for contempt, as in the Court of Chancery. Another provision was also introduced, to guard against an abuse that might arise, which he hoped, would be approved of. Towards the end of last century a similar case had occurred, in which the abuse he alluded to was first attempted, and put a stop to by the high hand of the executive. The then judge of the High Court of Admiralty attempted to make his surrogate discharge all judicial affairs in his stead. It was proposed by this bill that the surrogate should not be competent to pronounce any judicial decisions, or to determine any really contentious matters, while to guard against inconvenience the judge of the admiralty was to be assistant to the judge of the London court. These were the general outlines of the measure. [Lord *John Russell*: What as to church-rates?] Upon that subject he did not propose to legislate in this bill, which however, would remove all questions upon it to the London court. He had now to state that this measure had been framed upon the report of the Ecclesiastical Commission, upon which had sat William, Archbishop of Canterbury; Charles James, Bishop of London; William, Bishop of Durham—the late Dr. Van Mildert, whom to name was to secure the highest respect on both sides of the House; Christopher, then Bishop of Exeter, now Bishop of Bangor, the Bishops of Lincoln, and St. Asaph; the late Lord Tenterden and Lord Wynford; the Lord Chief Justice Tindal and the late Chief Baron Alexander; Sir Christopher Robinson, Sir Herbert Jenner, Sir J. Nicholl, Dr. Lushington, Sir Edmund Carrington, and the late Mr. Cutlar Fergusson. These commissioners appointed under the Administration of the Duke of Wellington, in February 1832, made the report on which this measure had been based. They recommended the abolition of the Division Courts. At the meeting held on the 19th of September, 1831, at which that determination was arrived at, there were present the Archbishop of Canterbury, the Bishop of London, Lord Tenterden, Lord Chief Justice Tindal, Sir W. Alexander, Sir C. Robinson, and Sir Herbert Jenner. At that meeting the following resolution was adopted:—

> "That it is expedient that the Diocesan Courts should not retain any power of granting probate or administration, but that the whole of their present jurisdiction, voluntary as well as contentious, should be transferred to the provincial courts respectively."

This resolution, or at least a resolution to the same purport, had been previously printed and circulated, and, after careful search, he could not find that any dissent had been expressed with regard to it. At a meeting held on the 2nd of February, 1832, present the Archbishop of Canterbury, the Bishop of London, the Bishop of

Lincoln, the Bishop of St. Asaph, Sir J. Nicholl, and Dr. Lushington, the question as to the expediency of maintaining the jurisdiction of the provincial court at York having been re-opened, it was resolved—

"That after the fullest and most mature deliberation, the board have come to the conclusion that it is highly desirable to transfer the jurisdiction of the provincial court at York, as well as those of the diocesan courts, to the metropolitan courts of Canterbury, and that his Grace, the Archbishop of York, be conferred with on the subject."

The Archbishop of York, however, offered some objection, and the more qualified passage which now appears in the report was adopted at a meeting at which the Archbishop of Canterbury, the Bishop of London, the Bishop of St. Asaph, Lord Wynford, Lord Tenterden, Lord Chief Justice Tindal, Sir J. Nicholl, Sir C. Robinson, and Dr. Lushington were present. It was evident from these minutes that it was the opinion of the board that the jurisdiction of the provincial court of York, both contentious and in the grant of probates and administration, should be transferred to the metropolitan courts of Canterbury; but in deference to the wishes of the Archbishop of York no specific recommendation was offered. In 1833 a Parliamentary committee was appointed to inquire into the duties of the High Court of Admiralty, and that committee, to which this report with reference to the ecclesiastical courts and the fourth report of the real property commissioners were referred, reported in favour of establishing one court in London and the appointment of the judge being vested in the Crown. In 1836 Lord Cottenham, who was then Lord Chancellor, introduced a bill into the House of Lords, by which it was proposed to place the whole jurisdiction of the London court, including the jurisdiction as to probates and administration, in the hands of a judge to be appointed by the Crown. Petitions were presented against that bill by the diocesan registers, which were referred to a Select Committee of the House of Lords, and they reported their opinion that the question ought to be confined to the consideration of how far it might be expedient to preserve the diocesan courts. The committee after referring to the reasons urged by the petitioners for retaining the diocesan courts, thus proceeded:—

"The committee find that the question to which the petitions relate has frequently been the subject of the most serious inquiry and consideration. In the month of February, 1832, the commissioners appointed to inquire into the practice and jurisdiction of the Ecclesiastical Courts of England and Wales made a report, in which, after enumerating the evils arising from the inferior ecclesiastical jurisdictions, they stated, that, to remedy those evils as well as to remove other inconveniences, they were unable, after a most careful consideration of the whole subject, to devise any measure so effectual and likely to be productive of so much convenience and advantage to the public as that of transferring the whole testamentary jurisdiction and the exclusive right of granting probates and administrations to the archiepiscopal courts of the respective provinces."

At the close of their Report they, that is, the Ecclesiastical Courts Commissioners—

"Stated it to have been drawn up on the supposition that the provincial court of York was to be retained, but that a doubt had presented itself to their minds whether the arrangement which they had proposed for the improved administration of the ecclesiastical law would be rendered more complete and effective if the contentious and testamentary jurisdiction exercised by other courts of the province of York were transferred to the metropolitan courts of Canterbury; but they did not offer a specific recommendation on that head."

The Lord's Report went on to state,—

"That in April, 1833, the commissioners appointed to inquire into the law respecting real property, made their fourth report, in which they stated their belief that greater general convenience would be obtained by the abolition of all district jurisdictions whatsoever. On the 15th of August, 1833, a select committee of the House of Commons recommended that all the courts in England and Wales, exercising ecclesiastical jurisdiction, or the power of granting probates and administrations, be abolished, except the Arches Court and the Prerogative Court of Canterbury, and that these two courts should be united; and they also recommended, that one court sitting in London should be the only court for the probate of wills and the granting of administrations."

The Lords' Committee expressed their opinion in these terms:—

"The committee entirely concur in the opinion, that it will be expedient that all the courts in England and Wales exercising ecclesiastical jurisdiction in granting probates and administrations should be abolished, and that one court sitting in London should be the only court for the probate of wills and the granting of administrations."

The bill was, he believed, amended in conformity with the report which recommended that the diocesan registrars should be empowered to receive wills for probate and applications for letters of administration when the property was under 300*l.* The bill was not proceeded with during that Session in consequence of the bill for regulating church discipline being deemed unsatisfactory, and it was considered that the measure for the regulation of church discipline ought to be disposed of before the House proceeded with the bill for the regulation of the ecclesiastical courts. A bill for regulating ecclesiastical discipline was introduced in 1837, 1838, and 1839, and ultimately passed both Houses in 1840. It was quite clear, therefore, that it had been the intention of the Government to introduce some measure for the reform of the ecclesiastical courts, and moreover in each successive year from 1836 to the present time, including the last year, a bill had been agreed to, which provided that all appointments and situations in the ecclesiastical courts except in the Prerogative Court of Canterbury, conferred since the passing of the act of 1836 should be merely *pro tempore* appointments; at least, that persons appointed to such situations should not acquire any right to compensation for the loss of their offices if Parliament should see fit to abolish them. He believed the bill which he now submitted to the House would be found a great practical measure of legal reform. He considered that the provisions which had been introduced for affording compensation to parties whose interests might be affected by the measure, were sanctioned not only by justice but by expediency; for if, on the adoption of a measure of this nature, fair and adequate compensation was not awarded to those whose interests it might affect, an impediment was raised to the progress of Reform by the opposition which was excited among interested parties. He believed the operation of the bill would prove salutary and beneficial. All probates of wills would be according to one uniform rule; there would be one general registry for all wills, except those with respect to small amounts; great facilities for search and reference would be afforded both in London and in the country; and full opportunities would be afforded to parties of acquiring information as to their rights under wills; all suits of a vexatious nature would, in fact, be swept away; litigated cases of importance would be subjected to investigation before a duly qualified judge; and the episcopal spiritual jurisdiction would be preserved totally and entirely intact. He trusted the House would excuse him if, before he resumed his seat, he adverted to a subject personally concerning himself, the Archbishop of Canterbury, and even before the meeting of the ecclesiastical commission in 1829, with laudable public spirit and liberality, expressed his hope that no regard for the patronage in his gift would prevent the introduction of any measure which might be deemed expedient. He might inform the House that one office which would be abolished by this measure—the sinecure registrarship of the Prerogative Court of Canterbury—was worth 9,000*l.* a-year. No qualification was requisite in the person on whom the office was bestowed—it might, consequently, be given to any friend or relative—and this valuable patronage the Archbishop of Canterbury willingly and spontaneously renounced. The Archbishop felt, however, that it was essential—both as regarded himself and his successors—that an adequate salary should be provided for the vicar-general of the province of Canterbury, who would be called upon by the provisions of this bill to perform most important and responsible duties. Every one acquainted with the subject must be aware that it would be necessary that the individual who should henceforth fill that office should be selected from men of eminence at the bar. It happened that at the present time he (Dr. Nicholl) was the Archbishop's vicar-general, and he was therefore placed in a somewhat delicate position when he found it his duty to recommend an increase of the salary attached to that office. He trusted, that under any circumstances he should have not shrunk from his duty of recommending that increase; but he felt, that his recommendation when that of a disinterested witness was entitled to more weight. He, therefore, when he made the recommendation, announced to the archbishop and others his determination so long as he held the office, not to accept a larger salary for the future than the average of what he had annually received during the last three years. He felt, that if from any disinclination to resort to other counsels late in life, the archbishop wished to retain his services, those services ought not to be withheld. On the other hand, that the new and important duties which would devolve in the office, and which were not contemplated when he (Dr. Nicholl) was appointed, might render the archbishop desirous of placing the office in more competent hands. He therefore placed the office at the disposal of the Archbishop, at the same time stating, that if it was his Grace's wish that he should continue to discharge the duties he would willingly do so. The hon. Member concluded by moving for leave to bring in a bill to alter and amend the laws relating to the administration of justice in the Ecclesiastical courts in England and Wales.

Mr. *Jervis* did not rise for the purpose of offering any opposition to the motion, at this stage, but as he had been instrumental, in conjunction with Mr. Sergeant Goulburn and the hon. Member for Yorkshire, in bringing forward a measure on this subject, he wished to point out some of the objections he entertained to the bill now introduced by the right hon. Gentleman opposite. He thanked the right hon. Gentleman for the very clear and lucid statement he had made, and for his explanation of the reasons which had influenced the Government in submitting this measure to Parliament. He cordially agreed with much that had fallen from the right hon. Gentleman. He considered it extremely desirable to abolish all the criminal jurisdiction of ecclesiastical courts, which he understood to be one of the main objects contemplated by this bill. He also thought it important to abolish many of the peculiar jurisdictions, for they led to great inconvenience and confusion, not only with regard to the actual deposit of wills, but from want of uniformity in the administration of the law. To this extent, alone, could he agree with the right hon. Gentleman, for he objected to the principle on which the bill was founded. If the principle of centralization was to be adopted, he considered that the measure of the late Government, which was proposed by the late Lord Chancellor, was infinitely preferable to that which was at present under their consideration. He thought, there was no reasonable ground for the distinction which was proposed with regard to the amount of property. Property under the sum of 300*l.* in value must, almost necessarily, belong to parties who did not occupy high stations in society; and the wills in those cases, would, in all probability, be drawn in no technical form —either by the parties themselves, or by a schoolmaster, or person of that stamp; and in such cases the registrars would frequently have infinitely more difficulty than with respect to property of larger amount, where the documents were formally and strictly drawn. It seemed to him, that there was no just ground for the proposed alteration. He thought there was no necessity for such a sweeping change as was proposed. He might be permitted to remind the House of the general scope of the bill which he had laid upon the Table of the House. Its object was to abolish all peculiar jurisdictions, to have new ecclesiastical districts, to abolish altogether the necessity for Prerogative probates, where the testator had *bona notabilia,* which was the main objection to the present system, and to require that, wherever the party died, there the will should be proved, so that parties who might be interested, knowing the place of the testator's death, might have ready access to the original will. In his opinion, local registries, open to all parties in the district, were infinitely superior to a central registration. The object of the bill to which he had alluded, was the abolition of peculiars, and the appointment of a court competent to decide all controverted cases. There was considerable foundation for the argument that a clergyman, who did not possess legal knowledge, was not the person best fitted to decide such cases, especially if he had not the assistance of an individual of legal education and experience. He remembered that the right hon. Baronet the Secretary of State for the Home Department, had urged as a reason why centralization to a certain extent should exist, that that system had a tendency to bring such an amount of business to the superior courts as to hold out inducements to gentlemen of talent and learning to follow the profession. If the House deemed that the present courts were unfit to exercise their jurisdiction—if it was thought, that where a *caveat* was entered, and where there was likely to be any contention, the case should be remitted to the superior court, he would have no objection to such a course, provided that the will, when proved, were remitted to the local registry for safe custody. The system proposed would, he thought, in many cases tend to throw the fees into the hands of the officers of the central courts. The local officers would by the measure be deprived of the whole of the lucrative and purely formal business of their courts without any just reason; and the purely administrative business of the local jurisdictions was to be thus transferred without any sufficient ground for it. Surely it was better for the persons in those jurisdictions to be able to consult proctors in their own neighbourhood in whom they had confidence, in order to be put into the way of compassing their rights. The effect of the proposed measure upon the profession would be, either to ruin all the proctors in the local jurisdictions, or to compel them to come up to town, and commence a doubtful rivalry with those who were already established here. No compensation or means of compensation was provided for the officer so removed. In another point of view also the measure would be prejudicial. It appeared that those proctors only were to be eligible to admission in the superior courts who had passed a legal examination, and were otherwise qualified. The effect of such a proposition would of course be, that those who had not been legally educated, and who were therefore to be presumed to be a less competent class of practitioners, would be left in the country, and would have to deal with those cases where the property was under 300*l*., and on account of which the most difficult questions often arose. Those, too, would be the persons who would have on occasions to act as the spiritual advisers of the bishop, and would have to decide upon such momentous questions as that, for instance, which had been referred to by his right hon. Friend—the right to hang a hat up in a pew. Every motive which could lead to the keeping up of the requisite degree of knowledge on the part of those who would have to decide on the majority of the cases in those local jurisdictions was done away with by this measure. But there was an inconsistency involved in the very principle of the measure. Last Session the Home Secretary brought in a bill of a nature materially affecting local jurisdictions, and he laid it down as a principle that the law ought always to be administered at each man's own door—that above all there should be no unnecessary distance between the principal in a case and the attorney who was to conduct his cause. Yet the very same Government were now proposing, through the right hon. Gentleman, a measure relating to subjects of a nature not dissimilar in regard to the demands of justice, involving questions of no greater difficulty or importance to the parties; but where, on the other hand, the parties in the cause were desirous of being present, and of themselves inspecting the original documents on which their claims were founded; in which measure it was proposed to take away justice from the doors of those interested, and remove the jurisdiction from the local courts to the metropolis. Not only was the judicial jurisdiction of the courts taken away, but the administrative also. Were the administrative left, the hardship would not be so great upon the parties concerned. And all this inconvenience was to be caused merely in order to accomplish a central registration. All the prerogative districts still existed — Canterbury, York, Chester—all their privileges existed for spiritual purposes; and so that if a man's property were under 300*l*., they would still exist for the purposes of those jurisdictions which were now to be transferred to London, and in those cases which would still come before the courts in the different districts; a man dying in one might still have 5*l*. worth of property in the diocese of York, and 5*l*. worth in that of Chester, and so on. And even where the property exceeded the 300*l*. still the same difficulty might exist. The only real object they ought to seek to attain was, that where a man died there his will should be proved. The right hon. Gentleman continued the local jurisdiction where the property was under 300*l*.; but the same arguments that justified that step in the case of the poor man, justified it also in the case of the rich man. Where the will was made, there it ought to be proved, and there also it ought to be found when wanted. The right hon. Gentleman said, it was very difficult to preserve wills in those local districts. Was he prepared to name any authorized case of a will having been lost or destroyed within any recent period? [Dr. *Nicholl:* In the beginning of the last century.] He had heard of valuable documents having been destroyed at a more recent period in the Tower of London. No registry, however central, could prevent such a catastrophe as that. If you had all the original wills collected together in London, then you increased the loss should any accident occur; while, on the other hand, the danger was much lessened where the wills were scattered in different places throughout the country. But when the right hon. Gentleman spoke of the injury to be done by rats, surely that kind of injury was not likely to be decreased by the patronage this bill would give the Government; but of course the right hon. Gentleman could not mean seriously to rest his argument for the bill upon the danger to be apprehended from the rats. If there must be a system of centralization in this respect as well as in so many others, why not let copies of the original wills be transmitted to London. Copies were now transmitted to the Stamp-office for the purposes of the Government, and the very same officers in whom the Government placed the trust of receiving those copies might be employed to receive the copies that would be required under such an arrangement. With all submission to his right hon. Friend, he must say that he did not think he had laid any just ground why the jurisdiction of these courts should be excepted from the operation of the general rule, that justice ought to be brought home to every man's door. The very fact of the alteration that had been made in the proposed measure, as contrasted with that of the Lord Chancellor, showed that the Government thought there ought to be a departure from the principle of centralization as regards the poor. He thought the same reason ought to prevail as regarded the whole question. If the transmission of copies would prevent all the evils that were urged as reasons for this measure, then he was sure that the country would be better satisfied that the wills should be kept in the spot where the parties were, so that all men, under due superintendance, might be able to inspect the originals, and so judge by the documents themselves, rather than on the information of parties at a distance, whom they would not know except by name—with whom they would have no personal statements—and whose statements could not possibly carry so much weight as would an inspection of the original will itself, under the guidance, and with the aid, of a professional adviser on the spot. The practice which it was now sought to supersede had been in use without any ill results from the earliest establishment of these courts to the present time. It was not his intention to offer any other opposition to the measure on this occasion, but he had felt bound to express his objection to the principle of centralization, as applied to these courts, between which and the other local courts, in which that principle was repudiated, he could see no substantial difference.

Dr. *Stock* said, after hearing the speech of his hon. and learned Friend the Member for Chester, and that of his right hon. Friend the Judge Advocate, he had now, comparatively speaking, the two plans before him on which to form a judgment. The result of his consideration of them was, that he had not the slightest hesitation in saying, that of the Judge Advocate was entitled to the preference. His plan was an attempt to carry out some of the reform, suggested by the learned judges now at the head of the Admiralty Court, and he trusted that it would prove an effectual remedy for the evils it was sought to put an end to.

Sir *R. Inglis* said, whatever other objections there might be to the measure proposed by his right hon. Friend, at least the Government could not be charged with precipitancy in regard to its introduction, for there was no question, he believed, as to which so much had been written and so little done since 1829 as that of the Ecclesiastical Courts. But while his right hon. Friend was clearly not guilty of precipitancy, he wished he could with as much ease acquit him of the charge of inconsistency which had been made against the Government by the hon. Member for Chester; or, that he could acquit the right hon. Gentleman, in his capacity of representative of the Government, of having violated that great principle of the laws of England, which requires that justice should be brought as near to every man's door as possible, instead of its being, as by this bill it would be, removed to the greatest distance. If that great principle were admitted to be right, as regarded all cases of a civil or a criminal nature, why should it not be extended with equal advantage in cases of testamentary and matrimonial affairs? Why should the principle avowed by the Government be, that the one class of cases should be disposed of on the spot, but that the other should be removed to the metropolis? Was it not obvious, that less time and less money would be occupied in the one case than in the other? And what was the evil which by this means it was proposed to remedy? Why, the ground urged by the right hon. Gentleman was, that many of the judges in those district courts were clergymen. Very amiable men, he admitted them to be. Did the right hon. Gentleman mean to say, that he could bring forward any instance of neglect of duty, of unsound judgments, or of judgments hastily formed and promulgated against the interests of the parties in the causes? Unless abuses could be proved in existing institutions, he looked upon the abolition of those institutions with anything but a feeling of favour. He must say, that in his opinion one great vice in our present system of legislation was a desire to centralise every thing.

And with regard to the proposed removal of the jurisdiction in the present case to London, he must say, that however high was the personal character of the right hon. Gentleman, however much his motives in bringing forward this measure were above all exception, still it was impossible not to consider him the representative of the feelings and wishes of the great body of practitioners of London, who would naturally wish to bring as much practice as they could to their own particular courts in London, just as those in the country would desire to prevent them; and though his right hon. Friend was himself quite disinterested in his project, he could not but remember, that the practical effect of it would be not only to deprive parties in the country of the advantage of near professional aid, but also to deprive, without any fault being shown, those professional advisers of their natural share of local business. Those testamentary causes where the amount was small that would still remain, were exactly those that were least likely fairly to remunerate the professional conductors of them, and thus the standard of professional ability would be still less likely to be raised. Feeling as he did on the subject, and in the absence of any sufficient justification for an interference with the known and admitted principle of the law, he might refuse to vote for such a measure. But his taking that course would not be likely to produce the result which he desired, and he feared it might appear uncourteous. He rather preferred to state his objections to his right hon. Friend, in order that he might, if he thought fit, take them into consideration before proceeding finally with the measure. He would, therefore, notice briefly the points on which he differed from his right hon. Friend. First, as regarded the matrimonial clauses. He had always felt, that while those encouragements to divorce which some continental countries afforded were by all means to be deprecated in this, still that the power of dissolving a marriage on account of any offence which either party might commit, ought not to be limited, as was too often the case, to those whose fortune allowed them to spend very large sums on the necessary proceedings. If it were right to bring justice to every man's door as regards all other courts, still more was it necessary as regarded the subjects to which he more particularly referred. It was not fit that those evils which formed the greatest grievance of domestic life, should be redressed in the case of the rich, and go unredressed in the case of the poor. And therefore, while, as he said, he would strongly guard against the abuses which prevailed in other countries on the subject of divorce, he would not be averse to such an alteration of the jurisdiction of the courts appointed to try such cases as would open them to all, and not confine them, as now, to one class, and that the highest of all. Another point which he would submit to his right hon. Friend was, the omission of the contentious jurisdiction. All church-rate disputes and differences were, it appeared, to be removed from the local courts to London. Now, if there were any one kind of cases in which more than another a local jurisdiction was necessary, it was that of church-rates. In such cases it was desirable to have an immediate decision, and that could best be attained on the spot. Another point on which he differed from his right hon. Friend was his omission altogether of a legal cognizance by the courts of cases of brawling and defamation. His right hon. and learned Friend proposed to abolish all the courts in the province of Canterbury, and all in the province of York, except that of York itself; did he also mean to abolish the courts of the two universities? He should not consent to the introduction of the bill, unless his right hon. and learned Friend would leave untouched the courts of the two universities, which stood upon a different footing, took cognizance of a different class of suits, and had jurisdiction over a different class of individuals from any other courts. His right hon. and learned Friend talked of a registry of wills,—would it not be equally possible to have a general registry of legacies? That he was persuaded would be a great public convenience, and as a copy of every will was returned to the Stamp-office, ten additional clerks might suffice to make out an alphabetical list of the legacies. He trusted, that, by his making these suggestions before the actual introduction of the bill, his right hon. Friend, if there were any weight in them, might have a more convenient opportunity of considering them, than if they had been reserved to a later stage.

Lord *J. Russell* was disposed, as far as he could follow the statement of the right hon. and learned Gentleman, to give his cordial support to the general provisions of his bill, founded, as it appeared to be on the report of the ecclesiastical commission. There was one provision in it, however, which was objected to by the hon. and learned Member for Chester, and on which he wished to reserve his opinion until he saw the details; he alluded to that provision by which it was proposed to leave wills under 300*l.* within the jurisdiction of the diocesan courts. Now as inferior proctors would be left in the country who were not qualified by their legal attainments to practice in London, questions of difficulty would arise upon testamentary instruments bequeathing less than 300*l.*, which should not be litigated with less attention and learning than matters of greater importance. [Dr. *Nicholl.*—There will be no litigation in such cases.] The objection then would not apply. He could not at all agree with what had been stated by the hon. Baronet who had just sat down, being decidedly of opinion that the great number of these courts, and the confusion which arose in being compelled to go from one to others of them with respect to questions of property, rendered it extremely desirable that some such measure should be adopted as that proposed by the right hon. and learned Gentleman.

Mr. *Elphinstone* strongly condemned the constitution of the diocesan courts. The chancellors in most cases were wholly unfit for their duties; the registrars whose names generally corresponded with those of the deceased bishops, were equally ignorant of their duties; and the consequence was, that the whole of the business being left to deputy registrars, who were generally speaking attornies practising in the cathedral town, very gross injustice was often practised, and when the cases came before the superior courts in London the most extraordinary and ludicrous mistakes were frequently discovered. With respect to wills, what the public required was, that the property of the testator should be distributed to those who were entitled to it with as little delay and expense as possible. In order to this he believed it was necessary that one central court should be established in London, with a registry attached, and every facility of access afforded to the public. With respect to the admission of proctors to practise in London, it would be necessary not only that a very strict examination should be instituted, but that a most vigilant control should constantly be exercised; otherwise the interests of the public would be very considerably compromised. Upon the whole, he thought if the right hon. and learned Gentleman succeeded in carrying this bill he would be entitled to the thanks of the country.

Mr. *Hume* wished to know what was intended with respect to the fees. It was a wise regulation to have fixed salaries; but was there no alteration to be made in the fees? For many years the complaint of the expense attending wills had been general and extremely well-founded; were the public by this change to have business done at a lower rate of charge than heretofore? The recent reform in the Court of Chancery had, in this respect, been no improvement. So far from business being accelerated or carried through at less expense, the expense had in many cases been doubled. Was the public to be mulcted to the same extent in this instance? There ought to be a new schedule of fees, reduced in amount to the lowest scale, so that not one shilling should be taken from the suitor more than would pay for the business actually done. He had always been of opinion that the diocesan courts should be abolished; but now that they were about to establish county courts perhaps they would be better able to deal with the ecclesiastical courts if they knew beforehand what was to be the jurisdiction of the local courts. He was in favour of a general registry of wills, but he thought there might be inconvenience in bringing all parties to litigate in London. If parties prefered litigating in the county where they resided, he did not see why they should be prevented from doing so with regard to wills any more than other property. In the general objects of the bill he entirely concurred, and could not help thinking that the time had come when every civil matter should be entirely removed from the jurisdiction of the clergy, who were often seen meddling, active, and troublesome in things quite foreign to their spiritual duties to which they ought exclusively to devote themselves.

Mr. *Christie* hoped the opening of the courts in London to proctors from the country, who were duly qualified, would be taken as an available opportunity for relaxing the still existing restrictions upon the admission of persons not belonging to the Church of England.

Mr. *Protheroe* did not think the diocesan courts entitled to favourable consideration. They had by no means fulfilled the duties assigned to them as regarded the custody of wills. He felt grateful to the right hon. and learned Gentleman for the plan he had proposed. It went far beyond what he had contemplated when he intended to submit to the House a reform of these courts. Great praise was also due to the Bishops for the manner in which they had consented to surrender their patronage.

Captain *Pechell* expressed his approbation of the introduction of this bill, and hoped that it would be pressed forward without delay, so that by Easter all the iniquities of these courts in the country might be removed.

Colonel *Sibthorp* rose to protest against the bringing forward of a measure of this nature. It was a measure of what was called "reform"—a thing which he detested as he detested the devil. It was an innovation, and he agreed with Mr. Pitt that in all innovations there was danger. He demanded, therefore, that there should be no undue haste in urging it forward. It embraced many matters that required to be gravely and maturely considered.

Leave given.

Bill brought in, and read a first time.

PUBLIC SALARIES.] Mr. *W. Williams* moved for an account of

> "All salaries, pensions, profits, pay, fees, emoluments, grants, or allowance of public money held and enjoyed by all persons, between the 5th day of January, 1842, and the 5th day of January, 1843, the total amount of which shall exceed one thousand pounds; specifying with each name the total amount received by each individual, and distinguishing the various sources from whence the same are derived; and also the aggregate amount thereof; specifying the amount received by Privy Councillors."

The *Chancellor of the Exchequer* had no objection to afford the hon. Gentleman all the information he could possibly require upon the subject of his motion; but at the same time he felt very considerable objection to the latter part of the return asked for,—namely, the amount received by Privy Councillors. It could not by possibility furnish any useful information. He therefore hoped the hon. Gentleman would not press for that part of the return.

Mr. *W. Williams* said, that his object for moving for the return in its present shape was to contrast it with a return made in 1828, on the motion of the right hon. Baronet who now held the office of Secretary for the Home department. On that occasion the country was astounded at being informed that 113 privy councillors received out of the public funds no less a sum than 650,000*l.* per annum.

The *Chancellor of the Exchequer* said, that upon the hon. Gentleman's own showing it was not necessary to call for a return in the present form, because the return made in 1828 was granted in the very shape in which he (the Chancellor of the Exchequer) now proposed to give it.

Mr. *Hume* could not understand why it should be considered invidious to state the sum actually received by any man out of the public money. It was of great importance that the House should see how many privy councillors there were who received the public money. Upon that ground he would advise his hon. Friend not to accept the return in the shape proposed by the Chancellor of the Exchequer. He was of opinion that a great reduction had been made in the payment to privy councillors since the return made in 1828, and he was anxious to know how great that reduction had been.

Sir *Robert Peel* said, that the hon. Member for Montrose seemed to misunderstand the nature of the objection which had been made by his (Sir R. Peel's) right hon. Friend. His right hon. Friend had not the slightest objection to present the name of every person, without exception, who had a salary of 1,000*l.* a-year, whether judges, or colonels of regiments, or any other description of persons. The hon. Gentleman relied upon precedent, in justification of the latter part of the return called for; but the proper way to institute a comparison between a new return and the former return, would be to call for a return in the exact shape of the former return. It had been suggested that those who were Privy Councillors should be pointed out by an asterisk; but the designation of "right hon." was quite sufficient. The object, however, of the hon. Gentleman in moving for this return, he (Sir R. Peel) conceived to be, not that of merely ascertaining who were privy councillors, and what they received from the public money, but whether there had been an increase or a diminution in the actual amount paid out of the public fund since the making of the former return. His particular object was to ascertain whether, for instance, the Secretary of the Treasury at present received a greater amount of income or less than formerly. The Secretary of the Treasury was not a Privy Councillor; but the return asked for by the hon. Gentleman was, that of an account of money received by persons as Privy Councillors. Now, no man received payment as a Privy Councillor; he received it only on account of the office he held. The hon. Gentleman did not call for the aggregate amount paid to the Judges, or to the Army, or to the Navy, but he selected one particular class of persons who were not, as such, paid any salary at all. Surely that was not essentially necessary for the object which the hon. Gentleman had in view. His right hon. Friend had, in effect, said to the hon. Gentleman, "You shall know the fact, but do not assume it to be a fact that Privy Councillors, as Privy Councillors, are entitled to any salary." It might be that the amount paid to persons who were Privy Councillors was larger now than when the former return was made; because, since then, two new Vice-Chancellors had been appointed, and they were made Privy Councillors, but they were not paid their salaries because they were Privy Councillors, but because they were Vice-Chancellors. It was on this ground that he and his right hon. Friend objected to the return as shaped by the hon. Gentleman. There could be no necessity for that part of the return. It did appear by the terms as if the hon. Gentleman meant to imply that Privy Councillors, in the capacity of Privy Councillors, were entitled to salaries. That was the simple ground upon which he (Sir Robert Peel) offered any objection to the motion. He hoped, therefore, as the substance of the motion would be granted, the hon. Gentleman would not persist in calling for that portion of the return which was calculated to countenance a delusion.

Mr. *F. Baring* would advise his hon. Friend (Mr. W. Williams) not to press for that portion of the return which the right hon. Gentleman (the Chancellor of the Exchequer) had objected to.

Mr. *W. Williams* was quite willing to withdraw the latter part of his motion; and he did so the more readily, inasmuch as his object would be obtained by the words "right hon." being prefixed to the names of those mentioned in the return who were privy councillors.

The return (as amended) was ordered.

Public Accounts.] Mr. *W. Williams* moved for a

"Return of the recommendations contained in the reports of the commissioners appointed on the 8th of July, 1831, to make inquiries and to examine into the manner in which the public money is received and paid in the several departments of receipt and payment, and into the system of keeping the accounts in the same, and to suggest such improvements as may appear to them to be practicable and necessary; and also, a statement, showing what parts thereof have been carried into effect."

The *Chancellor of the Exchequer*, though he did not object to the return, considered it one almost impracticable to be made, and one which would, at all events, impose a task of extreme difficulty upon the Government. He put it, therefore, to the hon. Gentleman, whether he would persist in his motion.

Dr. *Bowring* said that the motion was in consonance with the recommendation of a committee of that House, and was the adoption of a great principle—namely, that the whole public revenue, without any deduction whatever, ought to be paid into the public treasury, and that no payment ought to be made without Parliamentary control.

Mr. *W. Williams* was glad that the right hon. Gentleman did not object to the return, which he considered to be one of very great importance, and, if granted, would do great public service.

Sir *George Clerk* did not understand his right hon. Friend (the Chancellor of the Exchequer) to say that he would furnish the information required, but merely that it was very difficult to do so, and that it was equally difficult to ascertain what was the real object of the motion.

Mr. *Williams* was only anxious to obtain the information, and cared comparatively little for the wording of the motion. A return of a similar kind had been moved for by the hon. Member for Greenock last session, and to communicate to the House all that was required, would give little trouble and occupy little time.

Sir R. *Peel* remarked that the most important part of the information consisted of the recommendations in the report; those were already printed: but if the hon. Member wished to have them printed again there could be no objection to it. Neither did he nor his friends consider the mere words of the motion of any importance; they were only desirous that the terms should be such as to occasion no disappointment to the hon. Member when the return was made. It might not be easy in all cases to state how far the recommendations of the commissioners had been carried into effect.

Mr. *F. Baring* said that after a general principle had been laid down, it was the business of the several departments to carry it into execution by degrees. In any case where a recommendation had been carried completely into effect, that information might be conveyed to the House, and perhaps the better course would be, for the hon. Member for Coventry to move specificially upon each recommendation. He believed that a good deal had been done already, and had no doubt that more would be done hereafter. Practically, it might be advantageous for the hon. Member to confine his motion to particular points.

Motion withdrawn.

CANADA—DUTIES ON WHEAT.] Mr. *C. Wood*, in the unavoidable absence of his right hon. Friend (Mr. Labouchere), rose to bring forward a motion for

> "Copies or extracts of any communications which have taken place between her Majesty's Government and the authorities of Canada, respecting the duties levied on wheat imported from the United States into Canada, or from Canada into the United Kingdom, since the 1st. day of January, 1842."

In October last, an act had passed the colonial Legislature, imposing a duty of 3*s.* a quarter on the importation of wheat into the Canadas from the United States, and part of the inducement for that act, as stated in the preamble, was the expectation held out by the Secretary for the Colonies, that the Government at home would propose some reduction of the duty on the importation of wheat from the Canadas. It was fit, therefore, that the House should be in possession of all the existing information on the subject, including the despatches, and he was happy to hear that the noble Lord opposite did not mean to oppose the motion. Such being the case, and not being aware what were the precise intentions of Ministers, he should not, especially in the absence of his right hon. friend, enter at all into the subject, but merely conclude by submitting the motion which he had read.

Lord *Stanley* said, that the fittest opportunity for discussing the subject would be when the papers were before the House, and on a former evening he had stated that it was not his intention to resist the production of them. He should now confine himself to stating that he agreed with those who thought that all the necessary information should be freely and frankly furnished to Parliament; and so strongly did he feel this, that he should take no technical objection to the production of the act of the Colonial Legislature, although it had not yet received the royal assent. Such a course was not usual; but the present instance, he thought, ought to be an exception to the general rule.

Mr. *Hume* wished to ask this question: Whether the duty of 3*s.* per quarter being laid upon the importation of wheat into Canada, it was intended to admit Canadian wheat free of duty? He was anxious to ascertain the intentions of Government upon this subject.

Lord *Stanley* should be ready to lay upon the Table the following documents:—1. A despatch sent by him to Sir C. Bagot, dated 2d March, 1842. 2. The communication of Sir C. Bagot on laying that despatch before the Colonial Legislature. 3. The act of the Colonial Legislature passed in consequence. 4. An extract from the despatch accompanying that act when sent to this country. 5. An extract from a despatch, containing further observations, sent out since the receipt of the act of the Colonial Legislature. In the mean time, until these papers were before the House, it would be injudicious to enter into any partial statements.

Mr. *Villiers* inquired whether Ministers intended to bring in any Bill for the regulation of the trade in corn between this country and Canada.

Lord *John Russell* asked whether the act received from Canada did not contain the ordinary suspending clause?

Lord *Stanley* answered in the affirmative. By the suspending clause the act was not to come into operation until July next, nor then, unless the royal assent had been given to it. When it was sent home by the Governor-general the Government required further information, and wrote out to obtain it; but, in consequence perhaps of the severe illness of Sir C. Bagot, it had not yet been received, and it would probably arrive by the next mail. Ministers had no wish to withhold any information that could be useful in the discussion.

Mr. *C. Wood* apprehended that the terms of his motion were large enough to include the documents enumerated by the noble Lord.

Lord *Stanley*: As to the question put by the hon. Member for Wolverhampton, it would be more convenient to answer it when the papers should be on the Table.

Mr. *M. Gibson* supposed that Ministers must be aware of their own intentions, and, for the sake of trade, it seemed expedient to remove all doubt and uncertainty on the subject. Perhaps they would state whether they meant to make any great alteration in the Colonial scale of duties.

Mr. *Ewart* saw nothing unreasonable in the question put by the hon. Member for Wolverhampton. Ministers had had ample time to make up their minds as to their intentions, and there were three parties deeply interested in the subject. First, the agriculturists of this country; next, the Colonial population; and thirdly, the noble Lord himself. The Legislature of Canada, in their act, had put a positive interpretation on the words of the noble Lord, and, for the sake of all parties, it seemed material that the question should be answered. Whether the noble Lord would condescend to reply to it was another matter.

Lord *Stanley* thought that he ought to apologise to the House for having already spoken four several times. The whole correspondence would be upon the Table in the course of about three days; it bore immediately upon the very question put to him, and, if it were thought necessary to repeat the question then, he would willingly reply to it.

Motion agreed to.

LORD ELLENBOROUGH—THE GATES OF SOMNAUTH.] Mr. *Vernon Smith* said that, in bringing forward the motion of which he had given notice, it would be necessary for him to occupy a little more time than he usually claimed from the indulgence of the House. He was not aware whether the papers for which he was about to move would be granted, or whether, in fact, the Government could grant them; because he was not certain whether the directors of the East India Company had yet written any answer to the Governor-general on the topic which had recently attracted so much attention. Whatever the fact in this respect, he felt it his duty to call the attention of the House to the subject, nor did he think that the right hon. Baronet opposite was likely to complain of this course, inasmuch as it would give him an opportunity of doing now, what he had lamented that the forms of the House would not allow him to do on a previous day, viz., to enter into a full vindication on this point of the conduct of Lord Ellenborough. In the outset, he begged to assure the House that he should never have thought of giving this notice of motion, if he had considered the matter open only to the ridicule and laughter with which it had been met in all parts of the country. If he had seen no more in the proclamation of the Governor-general of India than a subject of mirth, he should not have obtruded himself upon the House with a partisan speech, or a premeditated attack; it was because he was persuaded that the document was one of the most indiscreet and mischievous ever issued by a Governor-general, that he brought it specially under the notice of the House. He spoke in these terms of it now, and if it were laid upon the Table he would not shrink from the responsibility of proving what he asserted. If the Court of Directors did not pronounce their condemnation of it, he would undertake to bring forward in Parliament a resolution in distinct reprobation of the document. He could assure the House that he was not actuated by any personal hostility to Lord Ellenborough, for he had not the honour of his Lordship's acquaintance; still less was he actuated by any general desire to cavil at the appointments made by her Majesty's Ministers. Respecting the appointment of Lord Ashburton to the mission to the United States, he had the misfortune to differ with his noble Friend beside him; and for another appointment he could hardly find terms adequate to express his strong admiration—he alluded to the nomination of Sir C. Metcalfe, in whose choice the noble Lord at the head of the Colonial Department had shown the most praiseworthy abstinence from all party motives. He congratulated the colony on the fact that Sir C. Metcalfe's stern sense of duty had induced him to accept of the appointment. To the choice of Lord Ellenborough originally he had thought that no fair objection could be offered. He had followed his Lordship (in a comparatively humble capacity certainly) in the India board, and he could state on his own authority, that no former President of that Board had more completely possessed him of the details of his office, or had discharged its duties with more assiduity. It was not for him to state what were the duties of a Governor-general of India. He would not weary the House even with what the ablest pens, or more eloquent speakers had said upon the subject, further than to quote the authority of Lord Ellenborough himself, delivered at a dinner given to him by the East India Company, in November, 1841. The noble Lord then made a speech (as indeed he was well able to do), in which, after boasting (as who would not that possessed it?) of the confidence of the Duke of Wellington, and expressing his attachment and admiration (since here strangely shown!) for Lord Auckland, he said that,

> "His hope was to give to India peace and surplus revenue—by means of that surplus revenue to emulate the magnificent benevolence of the Mahomedan Emperors in the great works of public improvement, and more than all by gradually and cautiously having regard to the prejudices and feeling of the natives, imparting to them all we know of arts and civilization, at once to elevate the character, and better the condition of that generous and mighty people."

These expressions would appear to have come strangely from the noble author of the proclamation, which was the subject of his motion, for either the speech stultified the proclamation, or the proclamation the speech. True it was, that the noble Lord had formerly been guilty of some trifling public indiscretions, but it was hoped by his friends, when he went to India, that he had sown his wild-elephants, and that for the future he would be more tame and docile. Hence, the confidence which the noble Duke was supposed to have placed in Lord Ellenborough, and to which he alluded at the dinner given to him by the East-India Company. On that occasion, the noble Lord expressed himself as not at all elevated or excited by the exalted situation in which he had been placed:—

> "Whatever might be the confidence, (his Lordship added) which had been expressed in him, he could assure them that it had not created in his mind the slightest delusion with respect to himself."

If such were the case in November, 1841, it seemed that the arrival of the noble Lord in India had produced a strange effect upon him. He now certainly appeared under a singular delusion with regard to himself.

> "Going with these feelings (his Lordship continued), he did trust that he might obtain some portion of the favour of Providence on his exertions, which should only be directed to the public good, and the advancement of the interests of England and India—of his native and his adopted country."

The noble Lord had used the very same words in his celebrated proclamation. England was his native, and India his adopted country. He had adverted to the speech of the noble Lord, in order to show the *animus* with which he set out on his Indian enterprise, and how far he had carried into execution his own declared intentions. He wished to confine himself to the proclamation to which his motion referred. He did not intend to enter upon any other matters, and on this account he had not considered it improper to moke his motion precede that of the right hon. Baronet in the coming week, for a vote of thanks to the Governor-general. The right hon. Baronet had said, that he did not mean to discuss the political conduct of Lord Ellenborough, but to limit himself to the military operations in Affghanistan. The present motion, therefore, could not interfere with that of the right hon. Baronet, since it was not intended, he supposed, to ground our thanks upon the restored gates of Somnauth. He wished particularly to call upon the House to take care that the vote to be proposed by the right hon. Baronet, did not include any expression of gratitude beyond what was due for the successful result of the military operations, because it would be recollected, that, in 1840, the right hon. Baronet had himself objected to coupling the vote of thanks to the civil and military officers. The projected motion of the right hon. Baronet was, therefore, to be viewed with some suspicion, though not, perhaps, as regarded this celebrated proclamation, which had been sufficiently canvassed in all the clubs of the metropolis, by the whole reading public, and by every daily journal. That curious document he did not mean to read, because, as he had said in the commencement, it was not his wish to excite laughter, but to direct the serious attention of the House to the one most desirable object in the government of India—that of observing the utmost and the strictest delicacy with regard to different religions in that vast and various empire. The House could not fail to perceive what a completely religious view would be taken of Lord Ellenborough's proclamation—it told the Hindoos, in plain terms, to be revenged of the Mussulman population, and it reminded them of defeats and sufferings for the sake of their faith which they had long forgotten. It called their attention to the triumphs of the Sultan Mahmoud, the Gaznevide, and brought to their knowledge the existence of the temple, of which, until then, they knew nothing, and which, it now seemed to be considered, had no existence. To this point he might quote an article in a newspaper, to which the other side of the House would scarcely object, although in this instance it had fallen foul of Lord Ellenborough, in an article containing severe censure, and written with great wit and ability. He alluded to the *Times* newspaper; and it was there truly remarked, that as the noble Governor-general had got his gates, he must now also get, not only his temple, but his idol. However, at present, the noble Lord had only got his gates. Gibbon had narrated the capture of the temple of Somnauth; and though the extract was somewhat long, he apprehended that the language of such a writer would not easily fatigue the hearer. The words of that historian were these:—

"One of the greatest Turkish princes was Mahmoud the Gasnevide. The principal source of his fame and riches was the holy war (mark the words, 'holy war!') which he waged against the Gentoos of Hindostan. To the religion of Hindostan the zealous Mussulman was cruel and inexorable; many hundred temples or pagodas were levelled with the ground; many thousand idols were demolished, and the servants of the prophet were stimulated and rewarded by the precious materials of which they were composed: the Pagoda of Somnauth was situated on the promontory of Guzarat, in the neighbourhood of Dia, one of the last remaining possessions of the Portuguese. It was endowed with the revenue of 2,000 villages; 2,000 Brahmins were consecrated to the service of the deity, whom they washed each morning and evening in water from the distant Ganges; the subordinate ministers consisted of 300 musicians, 300 barbers, and 500 dancing girls, conspicuous for their birth or beauty. The faith of Mahmoud was animated to a personal trial of the strength of this Indian deity; 50,000 of his worshippers were pierced by the spear of the Moslems, the walls were scaled, the sanctuary was profaned, and the conqueror aimed a blow of his iron mace at the head of the idol. The trembling Brahmins are said to have offered 10,000,000 sterling for his ransom; and and it was urged, by the wisest counsellors, that the destruction of a stone image would not change the hearts of the Gentoos; and that such a sum might be dedicated to the relief of the true believers. 'Your reasons,' replied the sultan, 'are specious and strong; but never in the eyes of posterity shall Mahmoud appear as a merchant of idols.' He repeated his blows; and a treasure of pearls and rubies, concealed in the belly of the statue, explained in some degree the devout prodigality of the Brahmins. The fragments of the idol were distributed to Gazna, Mecca, and Medina. Bagdad listened to the edifying tale; and Mahmoud was saluted by the caliph with the title of guardian of the fortune and faith of Mahomet. The name of Mahmoud, the Gasnevide is still venerable in the East."

It would have been well for Lord Ellenborough if he had imitated the noble conduct, and adopted the noble answer of Mahmoud the Gasnevide: it would have been well for Lord Ellenborough if he had not condescended to become a merchant of idols: that traffic which Mahmoud the Gaznevide, the guardian of the fortune and faith of Mahomet, had disdained in 1024, had been reserved for Ellenborough, the Christian Governor-general, in 1842. His Lordship had now addressed the Hindoo population in a document, the language of which it was impossible to exaggerate, since it exasperated one portion of the Indian population against the other in the bitterest manner. What were the gates of Somnauth until Lord Ellenborough rendered them importantly ridiculous, and ridiculously important? Until he discovered them, of what consequence was it whether they were of sandal wood or of deal? What were they in fact, and what were they like? Could the Governor-general himself decide the knotty point, or must he answer in the words of Tom Thumb the Great, when his monarch asked him what the trophies he had brought home were like?

"Oh, sire! like nothing but themselves they
are."

So the gates of Somnauth were like nothing but themselves. Having thus adverted to the rashness, the indiscretion, and the impropriety of the proclamation, he would venture to approach another part of the subject, which had been most fitly and strongly touched upon by the hon. Baronet, the Member for the University of Oxford (Sir R. Inglis), the earnest, zealous, sincere, and never-failing denunciator of everything opposed to the promotion of the cause of Christianity. On this delicate subject he could not help thinking that the Court of Directors must have addressed some terms of reproof to Lord Ellenborough. To him they might have applied the words addressed by the Persian poet, Ferdouzi, to the very Mahmoud of whom his Lordship is so jealous, *Si nos non timeas, at Deum time.* It had always been the wish of the Indian Government to prevent all possible excitement of one class against another; but, from time to time, pressure from without had induced them, with the utmost caution, to interfere in matters connected with the faith and superstitions of the various classes; and, in a despatch signed by the Chairman and Deputy-chairman of the Court of Directors of the East India Company, but avowedly written by Lord Glenelg on the subject of the Pilgrim-tax, these expressions were found:

"All religious rites and offices which are in this sense harmless, that they are not flagrantly opposed to the rules of common humanity and decency, ought to be tolerated, however false the creed by which they are sanctioned; but they could not properly be said to be tolerated if those who are engaged in them did not experience that ordinary degree of protection to which every citizen, not offending against the laws, is entitled at the hands of his rulers. A religious festival attended by immense crowds cannot be said to be tolerated if the Government does not provide a police sufficient to enforce order, and to ensure the safety of individuals during the celebration; and, on the other hand, the providing of such a police is not an act of favour or friendship to the mode of worship, but one of simple justice to the worshippers. Beyond this civil protection, however, we do not see that the maxims of toleration enjoin us to proceed. It is not necessary that we should take part in the celebration of an idolatrous ceremony, or that we should assist in the preparations for it, or that we should afford to it such a systematic support as shall accredit in the eyes of the people and prevent it from expiring through the effect of neglect or accident. The application of these principles to the subject before us is not very difficult. Although it is possible that the Hindoo rites, or at least those of Juggernauth, are less liable than formerly to the charges of cruelty and open indecency, their essential character is of course not changed. They are at variance with the precepts and spirit of Christianity, and they seem opposed even to the plain injunctions of a natural religion. This, however, is not a reason for prohibiting them by law; and if they are not to be so prohibited, if they are to exist at all, they must receive from the civil power that measure of protection which it affords to any other act, the doing or the not doing of which it treats as a matter of indifference. To this extent we entirely concur with Lord William Bentinck. On the other hand, we cannot conceive that a government which believes those rites to be deeply founded in error, and to be productive, even in a civil view, of serious evil, is obliged or at liberty to show to them any degree of positive sanction or encouragement."

How the Governor-general, with that despatch before him, could venture to issue his proclamation, he did not know. It appeared exactly to meet the present case, except, that instead of doing nothing to "prevent the ceremony from expiring," he took it up, he honoured it, he sanctioned it, and he ordered a selection to be made by General Nott out of the English army, who were present at the capture of Ghuznee, to accompany the gates as a guard of honour through the country. The selection included also Sepoys who were Musselmen as well as Hindoos. How the Governor-general could venture to issue such an order, knowing that of necessity there were many Musselmen, he could not conceive. The dispatch went on to say, that any arrangements which should implicate the Government in the "immediate ministration of the local superstitions of the natives" would "tend to consequences of an injurious kind, inasmuch as they exhibit the British power in such intimate connection with the unhappy and debasing superstitions in question, as almost necessarily to inspire the people with a belief, either that we admit the divine origin of these superstitions, or, at least, that we ascribe to them some peculiar and venerable authority." He would like to know what the belief of the Hindoo population of India would be when they read this despatch of my Lord Ellenborough. He would only quote one other despatch. It was written by the Court of Directors, in the year 1837, not with the same view as the despatch of Lord Glenelg, but to prevent the Government from being identified with the missionary labours; it was written in the reverse sense to the despatch of Lord Glenelg. It said that—

"We fully concur in the opinion expressed by Mr. Ironside, to the effect that if religious societies and religious publications recommend the adoption of measures, and that if, as it were in consequence of them, the Government immediately carries those recommendations into effect, our native subjects may conceive that we, as rulers of the country, now identify ourselves with missionary labours. Nothing could be more dangerous than the prevalence of such an impression; for, as was long since observed by Mr. Thackery, 'our success in India is in a great measure owing to our religious neutrality; the failure of other European nations, especially of the Portuguese, in maintaining their power, to their injudicious attempts to convert the natives to their own religion. As we could not have established, so we cannot maintain our empire, without continuing this neutrality. It would have been much better that we should have failed in establishing, than that we should now shake to pieces on our own heads the great edifice of power now erected by such imprudence.'"

Sir Thomas Munro said on the same occasion, (no mean authority!)

"In every country, but especially in this, where the rulers are so few, and of a different race from the people, it is the most dangerous of all things to tamper with religious feelings. They may be apparently dormant, and when we are in unsuspecting security, they may burst forth in the most tremendous manner, as at Vellore. Should they provoke even a partial disturbance, which is quickly put down, even in this case the evil would be lasting. Distrust would be raised between the people and the Government, which would never entirely subside; the district in which it happened would never be so safe as before."

These were the opinions of the Court of Directors upon former occasions, and he thought that they were enough to justify him in asking the House to call for the present proclamation. He knew that the proclamation must have been sent to the Board of Directors—he knew that it ought to have been accompanied by some explanation, unless the Governor-general had been so careless that he had not thought it necessary to write a single letter to state his views. The noble Lord (Lord Stanley) had said the other evening that private letters had been received; whether they contained any apology or not, was not said; but if they did, it was indeed singular that the noble Lord should write a private letter to tell what a foolish thing he had done. He believed that the noble Lord would have written to the Court of Directors, and that they would have recalled the Governor-general, unless restrained by a higher power; because they were noted for looking to the discretion of a Governor-general more than to any other quality. If the noble Lord had written ever so many letters, he might have apologised for, but he could not have justified this proclamation, and if the Court of Directors did less than reprimand him, they were highly culpable. As to the report of their writing letters to induce the Governor-general to resign rather than recall him, he did not believe that so honourable a body would adopt such an unmanly course of proceeding. The question of idolatry in India was mooted in the year 1839, by a right rev. Prelate, and he was rather surprised that he had not taken the first opportunity this Session of making some observation upon the recent proclamation. [*Sir R. Inglis:* He is very ill.] He much regretted to find the cause of the silence, and he must say, at the same time, that the hon. Gentleman the Member for Oxford had expressed his opinion on the first night of the Session in an open and straightforward manner, and said that he would not allow a single night of the Session to pass by without stating his opinion of the proclamation. The right reverend Prelate the Bishop of London had expressed himself, in the year 1839, in the following terms, on a motion moving for papers:—

"He could not believe that a government which not only tolerated, but sanctioned, the continuance of idolatry; which not only sanctioned and encouraged it among the natives, but compelled a Christian people to give an unwilling sanction to it—could look for the blessing of Providence on acts which were so strongly opposed to the dictates of religion."

With how much more force would this apply to a proclamation not only giving an unwilling sanction to the continuance of idolatry, but for establishing, as he thought the recent proclamation did establish, a new idolatry. The right reverend Prelate went on to say,—

"He would not have anything done which would lead them to think it was a matter of indifference whether they should embrace the true religion, or live in the practices of idolatry. That appeared to him to be so plain, so clear, so faultless a course, that he could not anticipate what objections could be started against it, except those which were suggested by expediency. But, if indeed we could secure our dominion of that vast territory; if we must be masters of that immense population only at the expense of sacrificing the holiness of our own religion, he confessed he would rather give up all; nay, he believed all attempts to retain it would be in vain if we acted upon such a principle; for he never could suppose that a merciful Providence, which had entrusted us with that empire for the purpose of carrying out its benevolent designs towards mankind, would keep it in our possession that we should abuse our privileges and our power, and make that a dominion for Satan which we ought to convert into a kingdom for God."

To that declaration no strength could be added, although he could not agree to the expression as applied to the continuance of toleration; he believed that there was a great difference between the continuance of toleration and the commencement of a new era of idolatry. He would ask how the Governor-general could venture to issue his proclamation in the face of such instructions from the directors? How could he, a servant of a Christian country, be induced to establish new ceremonies, and another idolatry which had never been heard of before his Lordship issued this proclamation? This motion was disagreeable to him, on account of its personal nature; but he would not shrink from following it out: if the Governor-general issued such compositions to the country, he thought it was the duty of any independent Member to bring it before the House. He was induced to bring it forward not only from his official knowledge of the condition of India, but from having deeply at heart the interests of the Indian people from having had relatives, not, perhaps, undistinguished there, from whom he had in early youth heard the warmest advocacy of those interests. He trusted that he had not been guilty of any impropriety in the course he had taken; his object was not to make a personal attack upon Lord Ellenborough; neither was it his wish to make a partizan attack upon the right hon. Gentleman opposite, because he was sure that the First Lord of the Treasury was the last person who would risk the permanency of our empire in the east in order to shelter any individual. He repeated that he was not prepared to shrink from the consequences of this motion; he believed that the man who could set his hand—for his Lordship did set his hand to the proclamation, it was not signed as proclamations generally were, by his tranquil secretary, Mr. Maddocks—but the man who could write, or who could issue, such a proclamation, was not fit to be entrusted with the government of India. He had heard of other remarkable conduct; he had heard of sending home for ribbons of his own device as the emblems of his victories. Into that he would not enter, except to hint a doubt whether the noble Lord's head was not turned by his position; he would solemnly declare, that in the hands of a man who could issue such a proclamation as that of which he now wished the production, our mighty and extraordinary empire in India would be unsafe. In such hands he was unwilling to entrust it; and he would ask the right hon. Baronet, or the hon. Member for Beverley (Mr. Hogg), who was one of the Court of Directors, whether they could justify a proclamation, which, to say the least of it, had excited the ridicule, and to say the most of it, had excited the disgust, of the whole thinking people of England. The right hon. Gentleman concluded by moving for

"A copy of any despatch from the Governor-general of India to the Court of Directors, containing a proclamation addressed to the chiefs and princes of India, respecting the recovery of the gates of the temple of Somnauth, and any answer of the Court of Directors to the Governor-general of India."

Mr. *Bingham Baring* said, that although the right hon. Gentleman had not referred to topics mentioned in the Indian newspapers, he had indirectly alluded to them, and in such a manner as to let them have some effect upon the discussion that evening; and, before going into the general question, he would state some reasons for making an allowance for the attacks which proceeded from that quarter. It must be remembered that the noble Lord had entered India with the declared intention of introducing great reforms, and particularly of bringing the expenditure within the limits of the income. He had found it absolutely necessary to check the correspondence which had taken place between persons connected with the public administration of affairs and the newspaper press, and to interrupt the communications which passed between them. The tendency of the measures which he was obliged to take for this purpose had the effect of irritating the conductors of the public press, while the anticipation of future reductions alienated or might be expected to alienate those for whom the European press was conducted, the main portion of their readers the salaried servants of the company. He wished to speak of that service with the utmost respect. There was no country which enjoyed more devoted public servants than India; still there were some who, looking upon their offices in the light of private property, considered those who deprived them of their offices, increased their duty, or diminished the amount of their receipts, as their enemies. He grieved to say, that it was much owing to these circumstances that the attacks were made, and that the public conduct of the Governor-general was not as fair and impartial as under other circumstances it might be. He might now, perhaps, be permitted to mention to the House some historical circumstances with respect to the Sandal-wood gates which were not known to the House or to the country, and which formed a necessary part of the vindication of the noble Lord the Governor-general. The House might, perhaps, be aware that in the year 1831, Runjeet Singh was applied to by Shah Soojah to assist in the reconquest of the Shah's own country. The application was agreed to, and in return Runjeet Singh exacted some concessions from Shah Soojah. One was,—

"That the Shah shall disclaim, both for himself, his successors, and all the tribe of Suddozye, every right and title to the countries which have been acquired by his highness, his dependants, and tributaries of every kind; for instance, to the city of Peshawur, with the territory and customs, Cohaut, Heshtrugheo, Isefzie, Khyber, Cashmere, Mooltan, Menkera, Kolebagh, Bootchee, Serai, Tenouls, territories farmed by Bahawulpore, the two Ketchees north of the Sutledge, Tonk, Sengher, Gherang, Fort of Rolien, Gooldhurree, Akora, territory of Khittek, the seat of Preadah Khan's family; Derhend, Terbelah, and Preadah Khan's places of abode."

In short, all that portion of his dominions which the ruler of Lahore had already seized. In the next place he exacted a tribute from the Shah, and all tributes were looked upon in India as a disgrace; and, in addition, he required,

"That the portals made of Sandal, which have been carried away to Ghusnee from the Temple of Jughernaut, shall be delivered to the Maharajah, when the Shah's government is well established."

The answer of Shah Soojah was:—

"Regarding the relinquishment, on the part of myself, and all the tribe of Suddozyes, of all right and title to the countries conquered by his highness, that point may be settled when a meeting takes place, and the boundaries of those countries are defined. Regarding horses, &c.; I agree to the presentation of them yearly, according to the list given. Regarding the assignment of three lacs of rupees worth of jewels, for the expense of an auxiliary force; the property of one friend is that of the other. It is a matter of no importance where a close alliance exists."

But when he came to the gates of sandal, he said,

"Regarding the demand of the portals of sandal at Ghusnee, a compliance with it is inadmissible in two ways; firstly, a real friend is he who is interested in the good name of his friend. The Maharajah being my friend, how can he find satisfaction in my eternal disgrace? To desire the disgrace of one's friend, is not consistent with the dictates of wisdom.

It was evident from this that Runjeet Sing thought the possession of these gates would be a national trophy. It was evident that the Affghan monarch considered their loss as an eternal disgrace to his country: under either point of view, he contended, that Lord Ellenborough was justified in taking them from the place in which they were situated. The object of Lord Ellenborough was one of humanity. When he sent his forces throughout that country, he had to exact retribution for the assassination of a person invested with a diplomatic character. He wished to deal with the innocent inhabitants only in the most humane manner; he had to remove a stain upon the credit of our arms, and to inflict a punishment on a treacherous nation. Runjeet Sing was the religious head of the Sikh people, and he looked upon the abominations of the Hindoos almost with greater disgust than we did; he could only have sought the possession of these gates as a national trophy; he could not have had for his object to insult the Mahomedan part of the population over whom he ruled, many of whom formed his army, and several of whom held high situations about his court. His right hon. Friend said, in spite of the testimony of Runjeet Sing, that the seizure of these gates was to be considered as an outrage to the religious feelings of the Mahomedans of India. He talked as if the people of India were in precisely the same situation as they were in 800 years ago. Since that time floods upon floods of conquerors had poured into India from these mountain fastnesses. In the last century Ahmed Shah had poured forth his forces through these defiles. Many of the invasions had been made by Mahomedans, who were Moguls, perfectly distinct from the Affghans, having no feeling in common with them, but treating the Affghans as robbers, and sweeping away their possessions. Even so late as the year 1793, under the government of Lord Wellesley, a large force came from this country, making all the natives of India tremble from the apprehension of a dreadful infliction. How could the Mahomedans of India, composing as they did the most wealthy portion of the community, sympathizing with these Highland Robbers. Far from it, they felt as much joy that the tide of conquest had been turned back there as any other part of the population. Century after century India had been subject to ravages from this country by the Affghans and Moguls, and never upon any occasion till the late march of General Nott was any Indian army led in triumph through the country of the Affghans. This was the sole instance of such an exploit, and it was a subject of pride to the people of India, of which no persuasion of the newspaper press of India could deprive them. They felt a pride when they saw an army under the direction of European officers ennobled by the conquest of enemies who had ever been their most cruel oppressors, and who were now vanquished by them for the first time. It was under the impression that all the natives of India sympathised with the sucsuccess of our arms against a horde of robbers, that the proclamation was issued by the Governor-general. He knew that it was impossible that he could be misrepresented among the Mussulman population, or by the great mass of the Mussulmen who had themselves fought as soldiers under our banners, and he was actuated by a feeling of humanity. He did it in order to inflict some retribution upon the Affghan nation, at the same time that he did no injury to the innocent inhabitants; he did it in some measure to satisfy the vindictive feelings of his own troops, for, as the Mahomedans and Hindoos considered revenge a part of their duty, it was for the purpose of satisfying and glutting in some measure this spirit that the Governor-general issued his order for the removal of these gates. The next object of attack was the mode in which the noble Lord had disposed of them. If the right hon Gentleman had referred to the proclamation, he would have seen that he was not quite correct in stating that the English officers were sent with the view of doing honour to the pageant, or in the slightest manner to bow to Juggernaut. In the general order the Governor-general limited himself most carefully to the object for which they were sent, and he limited their duties. They were—

> "To communicate with the several chiefs through whose territories the trophies would be carried, for the purpose of making every necessary previous arrangement for their safe reception and transmission, and for the avoiding confusion on the march."

There was not one word to which even his hon. Friend, the Member for Oxford, could object in the orders given to the force which was to accompany the progress of these gates; and, indeed, the Governor-general himself, in the proclamation which had been so much condemned, had taken great care to limit his expressions, and to speak of the gates only as of value as trophies. He spoke of them as the—

> "Proudest record of their national glory," as "the proof of their superiority in arms over the nations beyond the Indus."

And he congratulated all the chiefs and princes of India, and not merely the Hindoos, on the recovery of these memorials of the victories of the Affghans. He was at a loss to find in the words of the Governor-general, any portion in which he showed any disposition on his part to sanction, to give credit to any religious observances, or to treat the trophies in any other light than as records of national success, and as proofs of national honour. When Lord Ellenborough had brought these gates to India what better course could he adopt than to recommend their care to the Rajahs through whose territories they should pass; and lastly, to deliver them to the chief of Guzerat, from whose territories they had been originally taken, leaving him to deal with them as he thought fit. As to the name of the restored temple of Somnauth being used, it was merely under the belief at the time that it existed. The Governor-general did believe that at the present time there existed the restored temple of Somnauth; he afterwards ascertained that it did not exist. ["Hear," *from the Opposition.*"] Did the House wish the Governor-general to carry about with him a record of all the temples of India, or a catalogue of them. He knew historically that there had been a temple which had been destroyed, that it had been built again, and he believed that the temple so restored still existed. Did they expect the Governor-general to know all this? Although so much had been made of this proclamation to turn the attention of the people of this country from the real events, which would naturally engage their attention, and although every endeavour had been made rather to draw the public attention to what the Governor-general had written, from what he had done he doubted whether the right hon. Gentleman opposite would succeed in the attempt. The people of this country were men of good practical understanding. They were in the habit of looking at the substance—of judging the man by what he did, and they would not forget that the noble Lord (Lord Ellenborough), had reversed the policy of war, which had been almost universally disapproved of in this country, and that he had secured for India the blessings of peace—blessings which were most necessary for the safety of our empire in that quarter of the globe, and for the civilization and improvement of the native population. The right hon. Gentleman, in his motion, had called for the production of—

"Any despatch from the Governor-general of India to the Court of Directors, containing a proclamation addressed to the chiefs and princes of India."

There was, he believed, no despatch; the proclamation was sent alone to the Secret Committee and not to the Court of Directors, and he was not aware that there was any expression on the part of the noble Lord, of his object in pursuing the course which he had taken. But if any paper of that nature should be found, it should be added. The right hon. Gentleman had also called for—

"Any answer of the Court of Directors to the Governor-general of India."

As the proclamation had never been submitted to the Court of Directors, there was no such document in existence. The hon. Gentleman must be sensible that any communication between the Select Committee and the Governor-general, must be considered in the light of a communication between the Crown and a public servant, and could not therefore be given. [Mr. *V. Smith:* Did not the committee communicate with the directors.] They certainly did not communicate any letter to be sent to Lord Ellenborough.

Sir *Robert Inglis* had hoped that his right hon. Friend at the head of her Majesty's Government would immediately, after the not intemperate yet justly indignant speech of the right hon. Gentleman opposite have interfered between the House and any further prolongation of the present debate, and so have avoided the present discussion of a subject which must be painful to them, and which, he thought, must produce feelings of an equally unwelcome character in the public mind. His right hon. Friend had not so interfered, but he had compelled, by the course which he had adopted, those who agreed with the right hon. Gentlemen opposite to rise in their places, and to state the feelings which they entertained on the subject of this motion. His hon. Friend who had just addressed the House had complained of the right hon. Gentleman opposite that he had not quoted any parts of the proclamation to which he objected. He was persuaded that the right hon. Gentleman, in abstaining from making any quotations, had felt that he was sparing the House the pain of listening to the recital of matters which could not but fail to excite sensations of the most melancholy description. But his hon. Friend had endeavoured to turn the attention of the House from the proclamation and its author (for even he had not read the proclamation), to the newspaper writers in India, whom he supposed to be disappointed and degraded civil servants, who, their claims of patronage having been disregarded, or their offices having been suppressed, might be supposed to have personal feelings of animosity towards the Governor-general. But he really hoped that the noble Lord, the Governor-general, had better friends than the hon. Gentleman; for a defence more hopelessly ineffective than that of the hon. Gentleman, he had never had the misfortune to hear. The hon. Gentleman began by stating that Lord Ellenborough could not have had any intention of "identifying himself with heathenish feelings," and throughout his speech he had striven to show that the object which that noble Lord had had in view was to obtain some military trophy of the success of our arms, and that the proclamation was only to encourage the chiefs to receive those trophies with the respect due to the ensigns of successful valour. Even if that were so, there would still remain great objections altogether distinct from those of a religious character. But that was not in reality the case. He admitted that there were many passages in the proclamation which spoke of the "glorious trophies of successful war," and so forth, and if these had been phrases addressed by an European power to its subjects, it might be that it would be considered merely as a record of national glory, and not at all connected with the religious feelings of the Hindoo princes. But how did the noble Lord address these princes? He began "My brothers and my friends." It was addressed, indeed, to all the princes and chiefs and people of India: but the parties who were named, were all of them Hindoos, He passed by all the defects of taste which presented themselves, for he thought that that House was not the tribunal to decide questions of taste or composition. If it were, there were other proclamations which would not easily escape. They were looking at the government of Lord Ellenborough upon grounds infinitely more important than those of criticism; and he appealed to a Christian House of Commons, and Gentlemen professing a regard for the religion and the Church of their native country, whether such language as this, followed by such acts as those of the noble Lord (for the noble Lord was a man of "practical understanding," and did not confine himself to words), could be sanctioned. The noble Lord went on in his proclamation to say:—

> "You will yourselves, with all honour, transmit the gates of sandal wood through your respective territories to the restored temple of Somnauth."

The hon. Gentleman who had here taken up the cause of the noble Lord had certainly placed him in a worse position than that in which he had stood before, because, even as to history and geography, he had shown that his noble protegé was altogether ignorant. He admits, that the Governor-general, when he published the proclamation, believed that the temple had been restored; which he now finds was not the case. For his own part, he believed that the noble Lord would have to found the temple, with its priests and idols, before the gates themselves could be made use of. Now, as to the removal of these gates by Sultaun Mahmoud, he (Sir R. Inglis) had never found any allusion to the act in any work which he had had an opportunity of consulting, and he had consulted many. He meant not, of course, to refer to himself as any authority; but he could name the highest Oriental authority now in this country, who had stated to him that he knew no original writer who had mentioned the removal by Mahmoud of any gates from Somnauth. Many on both sides of the House—one he saw opposite—knew that some of the most celebrated Persian writers, who described the actions of Mahmoud, and particularly his destruction of this temple, took no notice of the gates. This, however, did not involve the principle of his objection; which was, of course, the same, whatever was taken away, and whatever was restored. With regard to the actual condition of the temple itself, Colonel Todd, than whom there could be no higher authority, stated, "Even with the Hindoo all reverence for it is gone"—and he further stated, that the desecration of this place was so complete, that all the waters of the Ganges would not suffice to lustrate this once favoured scene of Hindoo worship. The latest traveller in the same country, Mrs. Postans, said that the temple was so destroyed that it has become a sheltering place for cattle, a resting-place for the travelling goatherd. She adds, indeed, that until very lately the roof was used as a battery for several large pieces of cannon; which, as is stated by another authority, were mounted thirty or forty years ago by a native prince to protect the coast against pirates. He admitted than one of the wives of Holkar had made offerings to the spot, and had possibly built some shrine there; but as to the original temple itself, he had described its condition from the highest and latest authority. Colonel Todd adds, that the whole history is so completely forgotten on the spot, that on this the scene of one of his greatest triumphs, the name of Sultan Mahmoud the Great is alike unknown to the Hindoo and the Mahomedan; and it was therefore left to the Governor-general to raise up, by a proclamation signed by himself—the right hon. mover made his only mistake there, for poor Mr. Maddock was not compelled to sign it; it was Lord Ellenborough's own act—this long-forgotten temple, and to furnish this long-ruined shrine. ["Oh! oh!"] He would state no more than the proclamation authorised and compelled him to state. Now the Governor-general talks of the restored temple; and does he not also talk of bringing back its gates to it? His right hon. Friend who was the mover of the question had called the attention of the House to the facts connected with the history of the destruction of this temple. The attack was made specifically upon it because of the abominable idolatries which were perpetrated within its walls. It was a war against idolatry as such. The tale was that a Mussulman pilgrim had represented the enormities to Sultan Mahmoud; and that Mahmoud, in consequence, led his army to the city. This was his twelfth and most remarkable expedition. After considerable difficulties in his march, he reached Somnauth. Here the Hindoo Rajah sent forth a herald to announce to him and to all people that their great idol Somnauth had drawn the Mahomedans thither to blast them in a moment, and to avenge the destruction of the gods of India. The battle then was a trial between the Mahomedans end the Hindoos, and the issue was as between anti-idolaters and idolaters, as such. The result was against the idolaters, and their temple was destroyed. He repeated, that the Mahomedan historian, whom he was quoting, made no mention of any gates being taken away; but he and many others mentioned the destruction of the idol, and the removal of two of its fragments, one to be on the threshold of his tomb, and the other, on the threshold of his palace. It was a temple so destroyed, and it was to portions of it so taken away that the Governor-general was now paying honour. He begged the House to recollect that this proclamation, accompanyiing the act of transporting these gates to the temple of Somnauth, bore all the appearance of encouraging this particular species of idolatry. It was especially "this" idolatry which was thus favoured. And why was the neutrality which the successive governments in India had maintained, and which this Government so strongly professed, between the different creeds of religion in India to be violated? Was it for the sake of this class of idolatry that our boasted neutrality was to be violated? He believed that no hon. Gentleman who heard him, and who was acquainted with the practices which had defiled that temple, could hesitate as to the answer he should make. There was nothing, there were no ceremonies connected with the Roman or Greek idolatries, more revolting than those by which this temple had been profaned. He would imitate the delicacy evinced by the right hon. Mover, and abstain from alluding more particularly to them; and, although there were no degrees of evil, although no compromise was possible between the acts of worshipping the one true God and falling down before an idol, the work of men's hands; yet, if it were possible to draw a comparison between the degrees of idolatry, the distinction would tell against this form in comparison with others. He said, therefore, that it was in favour of "this" idolatry that the effeet of this proclamation must be produced. But, suppose it was right that these gates should be removed to Guzerat, was it proper that the Governor-general of India with his army, should go and signalise himself in the procession? Surely, such offerings, if they were to be respected at all, should be kept free from the contagion of the passions, and unpolluted by the touch of a hostile army. Or were they to make war with the dead? Was it necessary that they should be the parties to violate the sanctuaries of the great men who had gone before them? Was there anything in the character of Sultan Mahmoud that his remains should be exposed to the contempt of a victorious enemy. He was a man whom we called with others by the general name of "barbarian," but in whom barbarism was at least redeemed in the eyes of the world (and he spoke in a popular sense) by many splendid faults. The very sentiment which is recorded in that passage of Gibbon to which the right hon. Mover has alluded, "that he would not become a merchant of idols," and still more his rejection of the ransom which the opportunity placed within his power, entitled him in the judgment of the world to—at all events, to what he would term "respect." His hon. Friend (Mr. B. Baring) had ended his speech by showing the House that a great political object was gained by carrying these gates into India. Now, he would for the sake of argument, admit, that these were the identical gates which had been removed by the Sultan Mahmoud, that no change had taken place of sandal-wood for deal, that it was possible for such articles to have withstood the vicissitudes of the climates to which they had been exposed, and that the lapse of 800 years had left them still the same. Was it, he would ask, therefore, necessary that British soldiers should march over the dead body of Mahmoud of Ghuznee in order to bring these gates into a hostile country? Was it necessary that English soldiers should be the instruments? But how had they disposed of them? Had they given them to the race of Runjeet Singh? It was said that Runjeet Singh had desired it. But had the fruits of the act been given to his representatives? Had not the Indian government, on the contrary, given them to a hostile race? But another question also arose. Had the Indian government, by what had been done, conciliated those whose friendship it was their interest to maintain? Whom had they abandoned by this step? Whom had they displeased? How many thousands of Mussulmans were there in the army—how many millions did Lord Ellenborough govern? He believed that of these men there were at least 10,000,000 under the government of the noble Lord; and it was for the sake of conciliating men who were idolators in faith, and who were not bound together even by the common link of language, that they had run the risk of alarming and quarrelling with a body so numerous as he had described, and united together besides by the bond of religious identity. They had done this: but they had done more. They had excited one of the strongest bursts of religious feeling in this country which any like measure—and he thanked God that we had had no other such proclamation of any Governor-general—had ever excited. Therefore it was that he had seen the hon. Gentleman rise with very great regret; and that the right hon. Baronet had not risen at once to endeavour to close this discussion. He believed that one word from the right hon Baronet would have had that effect. [Sir *R. Peel*: No.] He meant, that if the right hon. Baronet had got up and had candidly admitted that he could not defend the proclamation, this would have had the effect. This, however, would not have satisfied him; and he believed that others agreed with him. They would not be satisfied with a speech in that House. He disapproved of the proclamation; but more, he could not consent to a vote of thanks to the Governor-general, unless there should also be a censure of this proclamation. That was the least which would satisfy him; and he thought her Majesty's Ministers were bound to state in that House, that they at least would not make themselves parties to this act of recognition, as he contended it was, of heathenism, in its worst and grossest form. He believed that to be the tendency of the proclamation. He knew that it was so regarded by the public. They had now had an opportunity of ascertaining the state of feeling in India from the Indian papers, and it would be difficult to find one passage in any of them which defended this proclamation. He trusted that in this House the hon. Gentleman who had last spoken would be the only person who would defend it.

Sir *R. Peel*: Sir, when my hon. Friend calls upon me for an immediate expression of my opinion, and casts his censure upon me because I have not at once risen and announced my resolution not to defend this proclamation, I think he has not sufficiently adverted to the words, to the nature and object of this motion, or to the course pursued by the right hon. Gentleman who is the mover of this question. I understood the right hon. Gentleman to say, that if this motion were complied with, he should take a future opportunity of moving an address for the recall of the Governor-general of India. [Mr. *V. Smith*: I have not expressed any such intention.] At all events, if the right hon. Gentleman did not go so far, he admitted that he intended to found upon these papers a motion condemnatory of the conduct of Lord Ellenborough. The right hon. Gentleman said, "I shall not shrink from my duty, but, whatever others may do, I promise to give the House an opportunity of declaring its condemnation of this proclamation." Now, I think it would have been more fitting if the right hon. Gentleman had reserved his denunciations upon this subject until he had ascertained whether these papers would be granted rather than make a motion of this kind, which he knew would be assented to, the occasion and the vehicle of that censure which he declared should be founded upon the very documents which he calls upon her Majesty's Government to produce. It is against all Parliamentary usage, and indeed against all usage whatever, to say, "Give me the evidence which I require, and, before I get that evidence I will proceed to pass judgment upon the person and the policy to impugn which this evidence is required." It must have become notorious from the speech of the right hon. Gentleman, that he thought of course

I should acquiesce in his motion, and he was therefore aware that the time would shortly come when he would have the opportunity of calling upon the House to join with him in a vote of condemnation upon the subject. I repeat, therefore, that I regret that the right hon. Gentleman, intending as he has himself declared, to invite this House to express its condemnation upon Lord Ellenborough, should have gone out of the way to vent his accusations before he was in possession of the evidence he desires to obtain by this motion. He asks for an official copy of this proclamation. Now, the Government is not possessed in an official shape of any particulars of explanation tending to show Lord Ellenborough's motives and intentions in regard to this proclamation. But the proclamation and the despatch also shall be produced. I tell the right hon. Gentlemen the Government is not in possession of the official grounds and causes which may have induced the Governor-general of India to express himself as he has done in this proclamation; but as the proclamation is itself an official document, he shall have it, and with it an opportunity of inviting the House to an expression of its condemnation. The right hon. Gentleman commenced his speech by admitting that her Majesty's Government has shown a great deal of forbearance in respect of the exhibition of political feeling, and that little political influence has been exhibited in the appointments which have been made to the governments of our foreign possessions. The right hon. Gentleman said, that he differed from those around him, as to the selection of Lord Ashburton for the purpose of conducting negotiations on a most critical and important point with the United States, that with respect to the appointment of Sir C. Metcalfe, he had heard of it with delight, for that it was impossible that any appointment could have been made more calculated to promote the interests and to conciliate the feeling of those whom he was destined to govern, and that he gave the fullest credit to the Government for that appointment. With respect to the appointment of Lord Ellenborough the right hon. Gentleman did not condemn it, not did he say that the Government had acted unwisely. On the contrary, the testimony which the right hon. Gentleman had borne to the fitness of my noble Friend for the office which he holds was striking. In speaking of Lord Ellenborough the right hon. Gentleman said,—

> "I followed him at the Board of Control, and had then an opportunity of proving his prudence, discretion, and the intimate knowledge he possessed of Indian affairs. The papers he left behind him were sufficient to convince me that no appointment could be better chosen."

That was the testimony borne by the right hon. Gentleman, not merely with the candour which is sometimes found in a political opponent, but from his own knowledge and observation; the right hon. Gentleman declared the appointment to be a proper one; and it must be taken that up to the time of Lord Ellenborough's leaving England, the right hon. Gentleman acquitted the Government of all fault. Then what has Lord Ellenborough done since which justifies the right hon. Gentleman in all the condemnation which he has uttered, and which will justify him in calling on the House to pronounce a formal censure on the noble Lord. The House should bear in mind that the right hon. Gentleman is a warm political opponent to the Government, and that prejudices may naturally be excited in his mind with respect to the conduct of Lord Ellenborough. That noble Lord has certainly reversed the policy on which the late Government acted, but it must be admitted that, whatever the conduct of the noble Lord has been, however triumphantly his military operations have terminated, every act of his will now be rigidly scrutinized. Lord Ellenborough is charged with an intention to outrage the religious feelings of the people of this country. Now, all who know his disposition and feelings on religious subjects must be convinced, that as far as regarded his intentions, at least, he is innocent. Looking also at the acts of Lord Ellenborough—not his former and remote conduct—but to his acts at a time when he was hailing the return of a triumphant army, and alike offering and receiving all the congratulations of success, he writes thus.—I am reading from a private letter from Lord Ellenborough, dated October, 1842:—

> "I enclose for you a copy of the circular letter I have addressed to all the clergy of India. You see I am not unmindful of the real source of the success which has attended me."

Now I ask (continued the right hon. Baronet) what, in common charity, we must all sometimes feel ourselves obliged to ask, that this House will regard not merely the naked acts but the obvious intentions, not the mere act of publishing this proclamation, but the *animus* of that act. The letter shows that amidst all the excitement of triumph he did not forget to whom his country and himself were indebted for it. I am about to read from a letter addressed by the Governor-general, the right hon. Lord Ellenborough, to the chaplains in the Upper Provinces of India. It was as follows:—

> " *Simla, Oct.* 1, 1842.
>
> " Rev. Sir;—The seasonable supply of rain, following our prayers recently offered to God for that blessing, whereby the people of the north-western provinces have been relieved from the fear of impending famine, and the great successes recently obtained by the British arms in Affghanistan, whereby the hope of honourable and secure peace is held out to India, impose upon us all the duty of humble thanksgiving to Almighty God, through whose paternal goodness alone these events have been brought to pass. Nor have we less incurred the duty of earnest supplication that we may not be led to abuse these last gifts of God's bounty, or to attribute to ourselves that which is due to Him alone; but that we may have granted to us grace so to improve these gifts as to show ourselves worthy of His love, and fit instruments in His hand for the Government of the great nation His wisdom has placed under British rule. In the absence of any superior ecclesiastical authority in these upper provinces, I request that you will take these matters into your serious consideration, and that you will on the 16th of October offer to Almighty God such prayers and thanksgiving, at the time of Divine service in your church, as may seem to you best suited to impress upon your congregation the greatness of the blessings which the British nation in India, and the whole people of India, have recently received; and the high moral responsibility under which God has placed all those who have committed to them any part in the Government of this empire. I remain, reverend Sir, your affectionate friend,
>
> " ELLENBOROUGH."

The man who, at the time he penned this proclamation, having no ecclesiastical authority, thought it his duty on the 1st of October to call upon the clergy to offer thanksgiving in the public service,—is it possible that he can be charged with a desire to represent himself as a favourer of Hindooism? What sentiments could be more worthy of a Christian Governor? Whatever effect this proclamation may have had upon the religious feelings of the community, if that effect should have been to shock the feelings of any one individual, the first man who would deeply regret this result would be the Governor-general himself. So much for the intention. Now for the act itself, and its effects; an effect deeply to be lamented indeed, if it be true that it has resulted in a feeling of jealousy between the two great divisions of the population of India, the Mahomedans and Hindoos. But I think my hon. Friend has allowed his zeal to carry him too far. His horror of Hindooism has led him to go a little too far in his defence of Mahmoud of Ghuznee, and has induced him to exalt the heathen conqueror into a hero. My hon. Friend has described him as a man most indifferent to wealth, and influenced in his destruction of idols by no other feeling than a conscientious abhorrence of idolatry. I apprehend if my hon. Friend had consulted the pages of the historian who has been quoted, Mr. Gibbon, he would have found that other motives are attributed to this conqueror of the Hindoos. Mr. Gibbon says—

> " The fertile kingdom of Guzerat attracted his ambition, and tempted his avarice."

And he then goes on to say, that he can devote only one page to a recital of all the battles and sieges which took place during twelve different incursions. I think, therefore, that my hon. Friend is paying undue honour to the character and conscientious feelings of Mahmoud, when he attributes his invasion to a pure preference of Mahomedanism over Hindooism. My hon. Friend says, he never before heard of these gates. He will find a reference to them in some of the highest authorities; and they are mentioned by Mr. Mount Stuart Elphinstone, not as a religious relic, but as—what Lord Ellenborough, I believe, considered them—a great trophy of war. Mr. Mount Stuart Elphinstone, one of the best historians of Indian affairs, thus speaks of these gates. I ask the House not to view with undue prejudice the conduct of my noble Friend the Governor-general of India. My hon. Friend has represented that Lord Ellenborough most wantonly and capriciously restored these gates, which never were heard of before, which have not been mentioned by any historian, for the mere purpose of paying a compliment to the superstitions of the Hindoos. Mr. M. Elphinstone says,—

> "The tomb of the great Sultan Mahmoud is also standing, about three miles from that city. It is a spacious but not a magnificent building, covered with a cupola. The doors, which are very large, are of sandal-wood, and are said to have been brought by the sultan as a trophy from the famous temple of Somnauth, in Guzerat, which he sacked in his last expedition to India."

The authority of Mr. M. Elphinstone is at least a very high one, and it appears that he did not consider these gates as a religious relic. He expressly uses the words which Lord Ellenborough applies to them—namely, that they were a trophy taken from the Hindoos. Now as to the account which Gibbon gives of the incursions of Mahmoud upon the unoffending people who then inhabited the country of Hindoostan. He says,—

> "In this foreign narrative I may not consume a page; and a volume would scarcely suffice to recapitulate the battles and seiges of his twelve expeditions. Never was the Mussulman hero dismayed by the inclemency of the seasons, the height of the mountains, the breadth of the rivers, the barrenness of the desert, the multitudes of the enemy, or by the formidable array of their elephants of war. The Sultan of Ghuznee surpassed the limits of the conquests of Alexander; after a march of three months over the hills of Cashmir and Thibet, he reached the famous city of Kinnoge, on the Upper Ganges; and in a naval combat on one of the branches of the Indus he fought and vanquished 4000 boats of the natives. Delhi, Lahore, and Moultan were compelled to open their gates: the fertile kingdom of Guzerat attracted his ambition and tempted his stay, and his avarice indulged the fruitless project of discovering the golden and aromatic islands of the Southern Ocean."

The result of these expeditions—of this continued hostility—was the transference of these gates, this trophy of war, as it is called by Lord Ellenborough, from Guzerat to Ghuznee. They have also been mentioned by more recent writers. I have no doubt my hon. Friend has read the work of Dr. Kennedy, who thus speaks of these gates:—

> "It was with no ordinary feelings that I stood at Ghuznee, by the tomb of Mahomet of Ghuznee. My long residence in Guzerat, and intimate familiarity with its people, its history, and its traditions, had made this destroyer's name a sort of household word in my memory."

Having resided at Guzerat for a long period, having heard the traditions of the people, and well-knowing their feelings, he says that the destroyers name was a sort of household word in his memory. What, then, must it have been in the memory of those whose ancestors he had pillaged and ruined? Dr. Kennedy says further, after speaking of "The direful history of this man's doings,"—

> "This man of blood sleeps in peace in a spot of great rural beauty. His direful ravages are consecrated by bigotry as holy wars against infidels."

These direful ravages were consecrated by bigotry as holy wars! But when we recollect the treasure which this man had amassed from the direful devastation he committed, do not let us be too forward in attributing these "direful ravages" of war altogether to zeal for the faith which he professed. I say again, Sir, that Lord Ellenborough regarded these gates as most important trophies of war, and as trophies of war he considered their return to those from whom they had been wrested would be most acceptable. I sincerely believe that the thought never entered Lord Ellenborough's mind that by this act he could be considered as paying a compliment to the religion of the Hindoos, or that he would by it offend the religious feelings of the people of this country. I believe that he considered the gates trophies of war, and trophies of war alone, and that, as such, he restored them to the people who had been deprived of them. I think when my hon. Friend speaks of the "restored temple of Somnauth," he puts an erroneous construction upon the words. I apprehend that, when Lord Ellenborough used those words, he was under the impression that the original temple of Somnauth, which had been restored by the wife of Holkar, still existed, and it was his intention to place the gates in that temple. I believe he never intended to give any instructions for the restoration of the temple. The expression cannot, I think, justify the belief that Lord Ellenborough meant to undertake the restoration of a ruined temple, that it might become the receptacle of these gates. I wish to have no concealment from the House on such a subject as this; though I am sure hon. Gentlemen would not ask for the production of documents of a private nature. As I before stated, the Government is not in possession, nor is the Court of Directors, of any official correspondence on this subject. But I cannot hold one language in this House while I am writing another language to India; and I freely admit that this proclamation has attracted the attention of the Government, and that they have made such communications to India on the subject as they have thought consistent with their duty. To such a delicate subject I cannot make more direct allusion, but I may state generally that it has received the attention of the Government, and I am sure the hon. Gentleman will not press me to make known to the House, or publish to the world, the comments we have felt it our duty to make. I cannot, however, profess opinions in this House at variance with those which I hold, and which I have communicated to my noble friend. But, Sir, I think the question comes to this—is it consistent with justice and equity to take one particular act of a public man, and on account of that act to visit him with censure? Why, who is there who could stand under such an ordeal? What public man is there who, looking back upon his conduct for the preceding year, does not know that there have been errors—that there have been inadvertencies—that, from the pressure of business, there has been neglect; and are you to judge him, not by the tenour of his general conduct, but to select one particular act, and say,—"I move my abstract vote upon this; I charge you with neglect, or impolicy, or incaution, in one particular instance; do not plead your general conduct; do not refer to the services you have rendered; do not speak of the time and abilities you have employed in the public service; do not say that your strength is sinking, as any plea of justification for your neglect in this particular instance; I judge you by this one isolated public act." When the right hon. Gentleman brings forward his motion of distinct censure, I will appeal to the House to do justice towards Lord Ellenborough. I am not prepared to say that I will go all lengths in defence of this act and proclamation. I will not say, "I see no danger in it; there is no expression I object to; I think it a fit and proper compliment to be paid to the people of Hindostan." I will not take that course; but I will say that it will be destructive of the character of the nation, it must be a fatal check upon the energies of public men, if you once establish the precedent that you will not allow the general conduct and services of a public man, who may be acting at a distance of 5,000 miles, to be pleaded against a single act of indiscretion. Oh, I have too much confidence in the justice of this House to imagine that it will not draw a parallel between the 9th of February, 1842, and the 9th of February 1843. I will tell you of the condition in which, when Lord Ellenborough landed in India, he found some of the men of the Madras army. I will tell you what tidings were brought to him. I will appeal to your own feelings on this subject at this time last year. I will remind you of the description that was given of the greatest disaster that ever befell the British army, of the destruction of 17,000 men and women, through acts of the grossest treachery, of the despondency which the Governor-general found prevailing among some portions of his army; and then I will exhibit to you, in the course of ten months more, that same Governor-general at the head of 40,000 men, having effected the evacuation of the kingdom in which we suffered such reverses — having, on the scene of every former disaster, retrieved our honours — [the remainder of the sentence was rendered wholly inaudible by an enthusiastic burst of applause from all parts of the House]. I will show you these dispirited sepoys converted into an army, excited by enthusiasm, ready to contend, if they could be brought against them, with the best and most disciplined troops of Europe; and, then, exhibiting this contrast, I will remind you (addressing the Opposition) of the language you held on this subject at this time last year. I will then ask you whether it is consistent with justice, with decency, or with common sense, that you, whose policy has been reversed [*loud cheers from the Ministerial side*,] should take this single proclamation and tell the Governor-general, "True, you have conquered; true, you have re-established the British name in Affghanistan; true, you have created one universal feeling of security throughout Hindostan; but you have issued an unwise, an improvident proclamation, and the reward of your labours shall be, disgrace and condemnation."

Mr. *Mangles* had not entertained the slightest intention of addressing the House on this occasion, for he thought any observations on the subject now under discussion would be offered more fitly when the papers were produced, and when the House was in possession of more full information. He could not, however, listen to the misrepresentations — he was sure they were not wilful—of the hon. Gentleman, the Secretary of the Board of Control, without giving them some contradiction. The hon. Gentleman had attributed the universal condemnation which had been expressed by the Indian press with regard to Lord Ellenborough's proclamation, to the hostility entertained towards his Lordship by the civil service, who were supposed to have great power over the press, and who, it was said, were offended at some measures of reform proposed by Lord Ellenborough. He begged to say that the press of India was as little under the control of the civil service as it was possible to be. He denied that Lord Ellenborough had introduced any reforms affecting the civil service. If he had acted in that respect as Lord William Bentinck had done, if he had introduced judicious or even honest and well-intentioned reforms, Lord Ellenborough would have secured, as his predecessor had done, the cordial support of the many high-minded members of that body. But his Lordship had wilfully and gratuitously insulted that body of men through whom whether he liked them or not, he must conduct his administration of the affairs of the country. Then the hon. Gentleman had seemed to think, that the great bulk of the Mahomedan inhabitants of India would regard with favour the removal of the gates of the temple of Somnauth. He thought it had been well understood that the Mahomedans of India are a single undivided people, entertaining bitter hatred towards the English, who had wrested the power from their hands, and despising the Hindoo population. Now the Hindoos, whom Lord Ellenborough desired to conciliate by the removal of the gates of the temple, required no conciliation at our hands, for they were already strongly attached to us; while the Mahomedans, whom it ought to have been his object to conciliate, would regard us with a more bitter hatred, on account of the triumph which was thus given to the Hindoos. The hon. Gentleman had attributed to the Governor-general much knowledge of the ancient history of the temple. Could he have known all this, and not have been aware of the description of worship to which the temple on which he had bestowed the gates was devoted, or of the nature of the abominable rites and ceremonies that were there celebrated? The right hon. Baronet rested his defence of Lord Ellenborough's proclamation upon the probable intentions of the noble Lord in framing it. But of what avail was it to speculate upon his intentions when the result of the proclamation was so unequivocal? He looked upon that proclamation as a decided retrograde step of the British Government in India, whose best endeavours had been given of late years to disconnect itself from the idolatries and false religions of its subjects. In any point of view, however, every word that the right hon. Baronet spoke in favour of Lord Ellenborough's intentions, conveyed the heaviest censure upon his judgment and good sense. Then the right hon. Baronet spoke of the triumphs of Lord Ellenborough's military policy. But in what was that policy different from that of his predecessors in the Governor-generalship? Both the generals who ultimately carried the war to a successful conclusion, had been appointed by Lord Auckland; and when Lord Ellenborough arrived in India, every soldier and all the means by which the triumph was afterwards achieved, had previously been sent by Lord Auckland. When the new Governor-general arrived, he found the whole force assembled in a position from whence to move on. The right hon. Baronet too deprecated general censure of Lord Ellenborough founded upon an individual act. Why, what were the Government themselves about to do? Were they not about to call for a vote of thanks to Lord Ellenborough, on account of his military operations, wholly regardless of his other proceedings? If the rule of not judging by an individual act applied to censure, did it not equally apply to praise? Every argument which the right hon. Baronet had used to-night against censure on

Lord Ellenborough, was an argument against the course which the right hon. Baronet was about to call the House to take next week. The right hon. Baronet promised, however, when the whole case was before the House, to enter into the policy of Lord Ellenborough in India. He could tell the right hon. Baronet that he would find that very dangerous ground indeed, and that there were very few on either side of the House, who were at all acquainted with India, who would be disposed to follow the right hon. Baronet as a leader if he called on them to approve of Lord Ellenborough's general policy. It was perfectly well known that out of doors there was but one feeling, and that was one of reprobation of his proceedings; and, when the whole case came before the House, he felt himself so strong in facts, and in his humble knowledge of the subject, that, different as their positions were, even he should not be afraid to meet the right hon. Gentleman before the House and before the country.

Mr. *Hume* rose to make one or two remarks, in consequence of the right hon. Baronet having told them that he meant to call for a vote of that House upon the whole conduct of ord Ellenborough. [Sir *R. Peel:* I said no such thing.] The right hon. Baronet had defended Lord Ellenborough on the ground of the injustice it would be to decide on a partial view of his case; but if he mistook not the right hon. Baronet gave up the proclamation altogether. If the right hon. Gentleman meant the case to be fairly gone into, let him lay before the House copies of the orders to Generals Pollock and Nott to retire from Affghanistan. Let him account for the sudden march forwards after the equally unaccountable delay of two or three months, a delay which scarcely left time for the troops to achieve what they had to do, and which rendered their retreat disastrous and discreditable, instead of their having due time and opportunity to retire as conquerors ought to retire. Let the right hon. Gentleman lay before the House a copy of the order of the Governor-general to withdraw the troops, dated at Simla, before a single prisoner had been given up. After all it was almost by a miracle that the prisoners were ultimately saved; and how would the honour of the British arms have been vindicated had not that event occurred as it did? He hoped that when they did come to consider the question, the right hon. Baronet would let the House have all the papers before them.

Lord *J. Russell* had not intended to have taken any share in the present debate, and he did so now chiefly for the purpose of making a suggestion to his right hon. Friend who had brought forward the motion. With respect to the question which his right hon. Friend had brought before the House, he had always thought, since he had seen the proclamation, that the question of right was so clearly on our side, that nothing further could be said, and this was, above all, the case after the speech of his hon. Friend the Member for the University of Oxford. He was sure also that such would be the general opinion out of doors on the appeal to those whom the hon. Secretary for the Board of Control designated as men of practical understanding. He felt that it was unnecessary for him to say a single word after what had fallen from his right hon. Friend and his hon. Friend the Member for the university of Oxford; and he felt that it was still more unnecessary for him to do so after the right hon. Gentleman, after several palliative expressions, almost avowed, as almost every man of sense in the country did, his unqualified disapproval of it. For although his language was cautiously clothed in an official guise, the expressions which he was understood to have used to Lord Ellenborough on the subject were clearly not those of approbation, but condemnation. [Sir *R. Peel* had not used the term condemnation, or any equivalent to it.] He was aware of that, as the right hon. Gentleman spoke in guarded and official terms; but the conclusion, from what the right hon. Gentleman had stated, was equivalent to language of condemnation. If he had misunderstood the right hon. Baronet, he could explain the matter, or, perhaps, which would be better, state exactly the terms which he had used in his communication to the Governor-general. He was sure his right hon. Friend would not press his motion in detail after what had fallen from the right hon. Baronet. He, therefore, would have been quite content with the debate as it rested; but the right hon. Baronet, as if conscious that Lord Ellenborough would have been left in a most woeful condition by such a debate, and such an avowal, thought fit to ride off upon every other subject, except the one under the consideration of the House, in order to have an opportunity of speaking in praise of his Lordship, and in derogation of those who preceded him, so that the right hon. Baronet might gain some applause from his own side of the House, and thus carry off as it were the effect of that proclamation which has been so universally objected to. Challenged, as he had been, by the right hon. Baronet, he must say that his objection to the conduct of Lord Ellenborough was not confined to the particular proclamation in question. He had heard from various quarters, and had gathered even from the public papers, sufficient to enable him to form an opinion that it would be dangerous to entrust Lord Ellenborough with the sole, undivided command of our immense empire in India. With respect to the conduct of military operations, the papers about to be produced would, doubtless furnish ample information. Lord Ellenborough's conduct on that point had already in its favour the highest authority in this country on military subjects. For his own part, from what he already knew, General Nott deserved the highest praise for his gallant advance and rapid victory at Candahar, as did Sir R. Sale for his gallant and persevering defence of Jellalabad, and also General Pollock, who had succeeded in doing that which was often the most difficult of all tasks for a military man to perform—he restored the moral courage of his dispirited soldiery, after suffering lamentable disasters, and led them to victory. With all that they were acquainted, and all those they were ready to acknowledge. With respect to his Lordship's part in these transactions —whether he at one time gave orders for the army to retreat and abandon the country, or whether he only prepared the means by which the advance of the troops was better secured — upon these points the House would obtain information from the papers about to be produced, and it would be rash and unwarrantable in him to pronounce an opinion before the production of them; but with respect to Lord Ellenborough's conduct in civil affairs, and with respect to his proclamations, these were matters on which an opinion might be formed without waiting for the production of any papers. Was it not notorious that towards many men in the civil service, distinguished by their experience, or distinguished by their long services in India, the conduct of Lord Ellenborough had been that of disdain and insult. There was a gentleman who went from this country a few years ago with a high character for legal attainments—who was respected by all who were acquainted with him (he had no knowledge of him himself, but he believed he was known in the highest quarters, even to her Majesty) —he was informed that one of the first acts of Lord Ellenborough was to insult that gentleman in such a manner that he threw up his situation. Another gentleman, of the highest reputation in India, Major Outram, had been placed by Lord Auckland in a situation of great responsibility, in which he added considerably to the character he had already acquired by his activity and zeal, and by the peculiar skill he displayed in the execution of his duties. This gentleman had also been disgraced by Lord Ellenborough. It appears that he was reappointed to some other situation. [An hon. *Member* "the same."]. He understood that the gallant officer had been placed under Sir C. Napier, whereas he before held an independent situation. Why had Major Outram, with his high character been thus disgraced, and why had he been again placed in an office under the Government? What were the motives which induced Lord Ellenborough to pursue a course of conduct which was characterised, in the first instance, by injustice, and, in the next, by levity? The right hon. Baronet had dared him to an investigation into Lord Ellenborough's conduct—he had said that it was unjust to judge of his Lordship by one particular act, although it was one which had offended the sense of the whole country, and had referred the House to his general conduct. Well, he would refer to Lord Ellenborough's proclamation of the 1st of October, by which he evacuated Affghanistan before any account was received of the release of the prisoners. The proclamation was studiously dated October 1st, at Simla, and it conveyed a puerile, foolish insult to his predecessor. The very first records of the proclamation were a misrepresentation of the motives which induced Lord Auckland to send the army across the Indus. Lord Ellenborough's chief object in that proclamation seemed to be a condemnation of the policy of his predecessor. That policy might have been unwise. Lord Ellenborough might have thought it unwise, but why did he take that opportunity of complaining of it, and why did he, wielding the authority he did, grossly misrepresent the motives and conduct of his predecessor? The succeeding paragraphs of the proclamation contained statements which he (Lord J. Russell) would feel it his duty hereafter to bring under the notice of the House, but towards the end of the document was a declaration which was equally absurd and imprudent —namely, that the British empire in India should in future be confined within its natural limits, The natural limits of the British empire in India! Why, were not the now called "natural limits" acquired by conquest in the last century. What would have been the natural limits assigned by Lord Cornwallis had he had occasion to issue such a proclamation? But what intelligence had the last mail brought from India? It appeared that the Ameers of Scinde were in possession of a certain territory which Lord Ellenborough thought ought to be added to the Indian empire, and as the Ameers were not disposed to part with it willingly, an army was about to be sent to wrest it from them by force. Now, where was this territory? Was it within the "natural limits" of the British empire in India? No; it was beyond them. Lord Ellenborough might have sufficient grounds for the invasion of this territory, but did it not show the original folly of his proclamation, that, only about a month after it had been issued, he should, by his own act, contradict it? Only conceive the folly of a Governor-general proclaiming a determination that the English power should never proceed beyond the Indus. Some great hostile army might be collected beyond the Indus, in Affghanistan, and only waiting for the formation of magazines to attack us. We might have the means of destroying the enemy before they were in a condition to injure us, and yet we must stand by and allow them to complete all these hostile preparations, and means of injuring us, because a Governor-general had proclaimed that we must not advance beyond the Indus. Where, then, was the sense of talking about the natural limits of the British Indian empire? The right hon. Baronet had spoken as if the proclamation, which had been particularly adverted to this evening, were the only act of Lord Ellenborough that is objectionable; but he (Lord J. Russell) took into consideration the other matters to which he had alluded, and the conclusion at which he arrived was, that Lord Ellenborough was not a fit Governor-general for our great Indian empire. The right hon. Baronet insinuated that their objection to Lord Ellenborough arose from the circumstance of his having reversed the policy of his predecessor, but that was not the fact. He admitted that great military disasters, which, if Lieutenant Eyre was to be believed, might have been prevented, made it necessary to reconsider the policy adopted with respect to Affghanistan; but the original policy of Lord Auckland was not based on a desire for a permanent occupation of Affghanistan. Lord Auckland declared, at the commencement that that was not his policy, and if he had remained in India, he might have taken the same steps as had been taken, or others, which might have appeared to be more expedient for the evacuation of Affghanistan, in perfect consistency with the principle on which the original invasion proceeded. He did not consider what Lord Ellenborough had done to be any reversal of the policy of what his predecessor had done. When a man in Lord Ellenborough's position was so ungenerous as to calumniate his predecessor—when he endeavoured to found his own fame on the destruction of the Governor-general who went before him, and who was employed during the last weeks of his government in making every preparation to enable his successor to pursue any course of policy which he might consider best—who, as he had declared himself, had so employed himself in the most single-hearted manner—when such conduct as that was pursued by Lord Ellenborough, he saw no reason why he should not state to the House and the country, over and over again, that, in his opinion, our immense power in India could not safely be entrusted to his hands.

Mr. *C. Buller* said, the right hon. Baronet had changed the whole issue of the question, which was not to turn upon a single act of Lord Ellenborough, and whether that single act was indefensible, and of such a nature that it would not only efface the past merits of his Lordship, but prevent the possibility of any confidence being placed in his prudence for the future; for the right hon. Baronent had said, "You must not condemn him for a single act." He must say that the single act which had been brought forward was one which even in the light in which the right hon. Baronet regarded it, must fill with alarm every person interested in the possessions of our British empire in India while such a man held the reins of Government there. But he was content to go to other acts of Lord Ellenborough; he was content to take his whole course; and he should be surprised if the right hon. Baronet did not repent the challenge he had made for a full inquiry into the conduct of Lord Ellenborough; for he would venture to say that they would hold up such a long series of acts so replete with outrage of every principle upon which the Government of India had been hitherto conducted, and so full of injustice to every race of men there, whether white or black, Christian Hindoo, or Mahomedan, and so pregnant with impropriety in attempting to elevate himself at the expense of his predecessors, that the picture would be too frightful for the right hon. Baronet to contemplate, and he would find it exceedingly difficult to find any warrant for the praises he had lavished upon the Governor-general of India. The right hon. Baronet would find it so very difficult to point out in the journals of the Government of India anything to entitle the noble Lord to any praises whatever, that the right hon. Baronet would have to regret that he had not allowed the noble Lord to be condemned upon the single issue, but would have his whole conduct dragged into question. The course pursued by the right hon. Baronet furnished him with a plausible ground for venturing to put the House in possession of other information, by adding to the resolution, that the financial resolutions dated the 23rd of June, 1842, and the report, dated the 6th of August, 1842, both from Jellalabad, be also produced.

Sir *R. Peel* observed, that the hon. Gentleman had claimed the credit of an *impromptu* for his amendment on account of his speech; now, it so happened that the amendment or addition had been shown to him two hours before, and he said he had no objection to it.

Mr. *C. Buller* claimed no credit for an *impromptu*.

Resolution modified and amended as follows:—

"That there be laid before this House, a copy of any despatch from the Governor-general of India to the Court of directors, containing a proclamation addressed to the chiefs and princes of India, respecting the recovery of the gates of the temple of Somnauth:—Also, Copy of a Proclamation by the Governor-general of India, respecting the evacuation of Affghanistan, dated Zimla, October, 1, 1842:"—Also a copy "of the financial resolution by the Governor-general of India, dated Allahabad, the 23rd day of June 1842; and the report of the committee of finance, dated Allahabad, the 6th day of August, 1842."

Agreed to.

Adjourned at half-past twelve.

HOUSE OF LORDS,

Friday, February 10, 1843.

MINUTES.] BILLS. *Public.*—1ª· Pound Breach and Rescue.

3ª· Law of Evidence.

PETITIONS PRESENTED. By Lord Kenyon, and other noble Lords, from Freeholders of Denbigh (county), from the Burgesses of Denbigh (town), from the Bath Church of England Lay Association, and from the Inhabitants of Llanfair, Dyffryn Clwyd, and Llanelidan, for the Repeal of 6 and 7 Will. 4th, c. 77, so far as concerns the Union of the Sees of St. Asaph and Bangor.—From Freeholders, etc., of Yspytty, Llangollen, Llandrillo-yn-rhos, Dymeirchion, Bettws Gwerfil, Goch-Llanuwchllyn, Llantysilio, Erbistock, Bodfari, Langowr, and Rhiwaedog, for the Repeal of the said Act so far as relates to the Union of the Sees of St. Asaph and Bangor; and that the Provisions of the Act referring to the new See of Manchester may be modified; and from the Gentry, Freeholders, and others of the Maclor Hundred, for the Repeal of the said Act so far as it affects the number of Bishops, and the Income of the Church in North Wales.

WAR IN AFFGHANISTAN.] The Marquess of *Clanricarde* wished before the House adjourned to call their Lordships' attention to the fact, that no papers at all had been yet laid on their Table relative to the movement in Affghanistan, preparatory to the motion of which the noble Duke had given notice. Neither had any papers been presented with respect to the proceedings in China. The noble Duke intended on Thursday next to propose a vote of thanks to the army in Affghanistan. On that subject he was in possession of no information except what he derived from the newspapers. Now, there was no doubt, that when the motion was brought forward the House would enter deeply into the consideration of the subject, that they would thoroughly investigate what had occurred in Affghanistan before they agreed to the proposed vote. It was necessary, therefore, that the papers should be placed in their Lordships' hands as soon as possible, in order that they might make themselves masters of the subject before they proceeded to vote. He wished to ask, whether the papers would be ready by Monday?

The Duke of *Wellington* said, the papers were in the course of being printed, and he expected that they would have been in the House that day.

Lord *Brougham* said, he understood the motion of which the noble Duke had given notice for Thursday next related solely to the military part of the question. [The Duke of *Wellington*: Nothing more.]—And to such parts of the Governor-general's proceedings as related to the carrying on of the war, that it would be strictly confined to the military part of the question. It would, therefore, be better, both in that and another place, if they kept their minds as free as possible from party and political feelings, when they were called on to agree to a vote of thanks to the military for their services, because they had nothing to do with the cause of the war.

The *Lord Chancellor*.—It was so in the case of Lord Auckland.

The Duke of *Wellington* said, the motion of which he had given notice had no reference to political matters, and would involve no discussion except as to the merits and services of the military force employed in the recent events. The general bearing of the motion would have reference only to military affairs, and to the conduct of the army in India.

The Marquess of *Clanricarde* said, he perfectly understood the nature of the motion, and that the papers to be laid before them would be strictly connected with military operations; but, so far as the public were concerned, there were matters connected with those operations in which they were deeply interested, and on which they were naturally anxious to receive authentic information. With respect to any blame that might be attached to any party in the course of these proceedings, he could not say that his opinion was at all made up on the question.

Lord *Monteagle* wished to know from what period the papers, with respect to the proceedings in Affghanistan would take their date, and down to what period they would extend?

The Duke of *Wellington* said, that every paper would be produced, from the breaking out of the insurrection, or what he would call the disaster, to the latest proceedings of the army of Affghanistan.

Adjourned.

HOUSE OF COMMONS,

Friday February 10, 1843.

MINUTES.] BILLS. *Public.—Ordered to be brought in:* Turnpike Trusts Continuance; Personation of Voters.

PETITIONS PRESENTED. By Sir R. Inglis, from Stockton-upon-Tees, and by Sir E. Filmer, from Maidstone, for the Repeal of the Act of 6 and 7 Will. 4th, c. 77, so far as relates to the Union of the Sees of St. Asaph and Bangor.—By Mr. Fox Maule, from the General Assembly of the Church of Scotland, for consideration of the Case of that Church.—By an hon. Member, from Hitchin, and Litcham, for the Repeal of the Property Tax.

TREATY OF WASHINGTON.] Mr. *F. T. Baring* rose to put a question to the noble Lord opposite respecting the treaty of Washington. By one of the articles of that treaty certain privileges were granted to a district which is now given up to the United States. These privileges related to timber, as well as to corn and other agricultural produce, and they consisted in allowing goods of that description to be brought into British ports at the same rates of duty as if they were the produce of British possessions. What he wanted to know was, whether the corn and timber specified in that treaty could be introduced into England at the same duties as if they had been the produce of New Brunswick; and, assuming that he should receive an answer in the affirmative, he then desired to know whether it would be necessary that an act of Parliament should be passed for the purpose of giving full effect to that part of the treaty in which this matter was referred to.

Lord *Stanley* said he should have no difficulty in answering the question which had just been put. The intention and meaning of the treaty were correctly stated by the right hon. Gentleman, and the arrangement proposed to be made by that compact had for some time past been practically acted on. The district to which reference had been made did not produce any corn. It produced timber; but timber was felled at both sides of the river—it was laid on the ice in the winter, and when the ice melted the logs floated down the stream without its being possible for any one to know whether they had been cut within the territory of the United States or in that of Great Britain. Although it was unimportant whether the trees were felled upon the right or on the left bank of the river Aroostook or the river St. John, yet that circumstance did not necessarily involve a concession on our part of the free navigation of the St.

John; but timber having once entered, it was treated as British timber. As to the necessity of bringing in an act of Parliament on the subject, her Majesty's Government would feel it their duty to do so if the necessity became apparent.

Mr. *F. Baring* asked whether the Chancellor of the Exchequer would have any objection to produce any instructions which had been given to the Custom-house authorities in connection with the subject.

The *Chancellor of the Exchequer* replied that no instructions had yet been issued.

CUSTOM-HOUSE FRAUDS.] Mr. *Wallace* begged to ask the noble Lord opposite at the head of the commission for inquiry into the frauds in the revenue, what progress had been made with the inquiries, when they would be brought to a close, and whether the names of all the parties concerned in the frauds would be laid before the House.

Lord *Granville Somerset* said, that the inquiries were still in progress, and it was impossible for him to say precisely when they would be concluded. When they were, there could be no objection to laying the evidence before the House.

HOLYROOD HOUSE.] Mr. *Wallace* wished to know whether the noble Lord at the head of the Woods and Forests would have any objection to lay before the House an account of the expenses incurred in the improvements at Holyrood Palace, and of the funds from which those expenses were to be defrayed.

Lord *Lincoln* said, in was quite unnecessary to lay any such returns before the House. He would at once inform the hon. Gentleman that the amount expended during the present year would be about 2,000*l.*, and that the sources from which it was derived were the improvements in the royal parks, and in Phœnix-park, in Dublin.

REGISTRATION.] Mr. *Baillie* wished to ask the right hon. Baronet the Secretary for the Home Department, whether it were the intention of the Government to bring in any bill this Session to amend the law relating to the Registration of Voters in Scotland.

Sir *James Graham* could assure his hon. Friend that he was perfectly alive to the necessity of amending the law for the Registration of Voters in Scotland, but having already pledged the Government to bring in measures, during the course of the present Session, to amend the law relating to the Registration of Voters in England and also in Ireland, he could not pledge himself to bring in a bill to amend the law of registration in Scotland during the course of the present Session.

Mr. *Christie* expressed a hope that the right hon. Baronet would fix the second reading of the English Registration Bill and the County Courts' Bill for such period as would suit the professional arrangements of Members of the House who were connected with the legal profession.

Sir *J. Graham* said, he had a great respect for the gentlemen of the long robe, and was sensible of the value of their assistance, but it was impossible for him to undertake to arrange public business with a view to their convenience. He would give notice of motion, for leave to bring in the English Registration Bill in the course of next week, and before the expiration of a fortnight he would ask for leave to introduce the Local Courts Bill. He could not, however, undertake to fix the second reading of bills of so much importance, with reference to the convenience of gentlemen connected with the legal profession.

Mr. *M. O'Ferrall* asked when the Irish Registration Bill would be brought in?

Sir *J. Graham* said it was not his intention to move for leave to introduce the Irish Registration Bill until the English Registration Bill should pass through all its stages.

SCINDE.] Sir *E. Colebrooke* gave notice that it was his intention, on Monday next, to put a question to the right hon. Baronet, as to the state of our relations with the government of Scinde. He wished to know whether the treaty entered into with the government of that country in 1839 was still in force, and whether any act had been committed in contravention of the treaty, which would justify an armed interference on the part of the British Government in India.

Sir *R. Peel* felt much obliged to the hon. Gentleman for the notice which he had given of his intention to ask the question, and he would suggest to other hon. Members the propriety of following the hon. Gentleman's example in that respect. He made that suggestion, not so much for the sake of his own convenience as for the sake of the public interest, because it was most important to the public interest that the Government should be enabled to give answers to questions of this nature in such a manner as that they could not be misunderstood.

TURNPIKE TRUSTS.] Mr. *Manners Sutton* rose to move for leave to bring in a bill to amend the laws relating to Turnpike Trusts in England and Wales. The present state of the law he observed, had occasioned great inconvenience. Not that he wished materially to effect the rights of the whole body of mortgagees; but this at least he desired to do,—to render it impossible for any individual to go into the market and possess himself of a mortgage, of the value say of 100*l.*, then exercise his privilege as a mortgagee, bring an action of ejectment, and get himself appointed a receiver. What he proposed in this respect was, that when an action by a mortgagee was decided, he should not then enter into possession, but that a receiver should be appointed by the Court of Exchequer. It was perfectly well known that large sums were raised by mortgage of turnpike trusts, and it was also well known that priority of advance was not followed by priority of payment. Now he proposed, that in future, no trustee of turnpike tolls be allowed to raise money on the security of such tolls without the consent of the Secretary of State for the Home Department, who would have all the accounts before him, and who would not refuse his assent where he saw the money was necessary. He would also propose in this bill, that the trustees should appoint auditors from their own number, who should form a finance committee. By these the whole accounts should be prepared and arranged at stated times, and afterwards laid before the general meeting of trustees. He would also propose to continue the 4th and 5th of her present Majesty, by which magistrates might appropriate highway-rates to the purposes of turnpike trusts. Having now stated an outline of what the bill would propose, he would only add an expression of his hope that the House would give it its sanction. He did not expect that the bill would remove all the evils attendant on the present state of turnpike trusts in England; but he hoped that it would put an end to many of them, and tend to mitigate the effects of others which could not be at present removed.

Mr. *Rice* admitted the very bad management of turnpike trusts at present, and he was glad to learn that Government had taken the remedy into its own hands. He hoped that Government would be now induced to bring forward some general measure on the subject.

Mr. *Mackinnon* said, that having been twice chairman of committees on this subject, he could bear testimony to the difficulties by which it was surrounded. As to a general measure which should relate to all turnpike trusts, he thought it was quite out of the question. It would be impossible to arrange such a measure, unless Government were prepared to pay off all the debts of the several trusts, amounting at present to between 8,000,000*l.* and 9,000,000*l.* In the present financial state of the country, that would be impossible. He did not think that his hon. Friend who brought in this bill would be able to carry the clause which prevented trustees from raising money on the tolls without the consent of the Secretary of State. When a bill brought in by his right hon. Friend opposite (Mr. Fox Maule) was formerly before the House, it failed from the dislike of the country Gentlemen to anything like centralization. They would object equally to the clause which gave to the Secretary of State the power of refusing to sanction the borrowing of money upon the security of turnpike tolls.

Mr. *F. Maule* said, that his bill was defeated, but it was because one object of it was to introduce some economical reforms into the management of turnpike trusts; and thus he was at once beset by the trustees. He was sorry that a similar provision was not in this bill, for without some such economical reforms it would be impossible ever to deal with the debts of the several trusts, which now amounted nearly to 9,000,000*l.* As far as this bill went, it should have his cordial support; he was only sorry it did not go further.

Motion agreed to.

PERSONATION OF VOTERS.] Mr. *Liddell* rose to move for leave to bring in a bill for the purpose of preventing the fraudulent Personation of Voters at contested elections. He had had sufficient experience of this evil to convince him of its magnitude, and of the necessity of applying some effectual remedy. He could mention many cases in which the practice had been carried to great excess, but he would confine himself to one or two. At the late election for the county of Derby, men were brought in large numbers to personate absent voters. Some of these were arrested by the High Sheriff himself, and several who were sent for trial for personation and perjury were condemned and sentenced to twelve months' imprisonment and hard labour. Others for personation only without perjury, were condemned to six months' imprisonment and hard labour, and others to three months'. The number thus punished showed the extent to which this atrocious practice was carried. In another case—that of Belfast—the practice had been carried to a still greater and more disgusting length, but the committee which inquired into the case acquitted the candidates and their committees generally of any knowledge of the crime; and the man who was known to have taken a very active part in procuring this personation declared in the committee that he was heartily ashamed of his conduct, but that he would not have resorted to it if he had not been informed that it was also practised at the other side. Before he called the attention of the House to the remedy which he should propose, he would observe that the Reform Act had done very little to repress the crime. By the 58th clause it was enacted that at the time of voting no inquiry could be made as to the right of a man whose name was returned on the registry; but certain questions were allowed to be put as to the identity of the man and the qualification. He might be asked, "Are you the same person whose name is here? Have you already polled here or elsewhere at this election? Have you now the same qualification for which you claimed to vote at the registration?" and an oath might be put to him as to the truth of his several answers to these questions. Towards the end of an election, it became known that a certain number of electors would not be forthcoming, and immediately steps were taken to present parties in the booth to personate them. If the person who was brought up to personate the voter was ready to answer the questions and take the oath, the returning officer had no power to refuse the vote; the party was then taken to a neighbouring or other public-house, when his clothes were changed, and it was in very many cases totally impossible even to recognize him. Such, he believed, was a tolerably accurate account of the manner in which the abominable practice was carried on. It was particularly common in seaport towns, for in them many of the persons whose names were on the register were on distant voyages, and it was well ascertained how many electors and who they were who would not be forthcoming at an election, and they were counterfeited by others in the unprincipled manner he had already pointed out. The remedy which he intended to propose was an extremely simple one, and his belief was that it would be an effective one. He proposed that, in the event of an individual being brought up at an election, and it was known to one or two persons in the booth that he was not the person he pretended to be, it should be lawful for the returning officer, or his deputy, on their rising and voluntarily declaring their readiness to make oath to that fact, not to reject the vote, but, that he should put the questions and administer the oath; he should then record the vote, and place against it the words "Protested against." It should then be lawful, he proposed, that the returning officer, or his deputy, upon the oath of one or more person or persons, should hand the personater over to a parish constable, who should be in attendance for that purpose, who should be required, within a specified time, say twelve hours, to take the party before any two justices of the division of a county, or of a city or borough, before whom the charge should be properly and thoroughly investigated. If it should appear to them that the charge was a just one, that the real voter had been personated by the party before them, then the magistrates, acting under the provisions of the Reform Bill, should commit him to the common gaol, and bind over the witnesses to prosecute for the offence. His belief was, that such a law would put a stop to the iniquitous practice, but it was necessary to go further, it was but right that they should protect the *bonâ fide* voter. It might be possible that there might be some person or persons in the booth who, in the heat of a contested election, and for unworthy purposes perhaps from ill-will, or perhaps in order to gain a temporary triumph, might make such a charge against a *bonâ fide* elector. To remedy that error he provided that the magistrate, if he saw there was no foundation for the charge, should have the power to fine the party making the false or unfounded charge to the amount of *5l.*, and if he should not be able, or refuse to pay the fine, then he should be punished with imprisonment. It appeared to him that his measure would prove an efficient remedy for a great evil, and that it would have a double value. If it did not stop the practice altogether, it must, however, prove a material check upon it; but it went further, and provided against the greater evil and gross breach of the privileges of that House—it provided against a representative being sent there who was not elected in a *bonâ fide* manner. The votes which were obtained by personation were distinguished by the mark of the returning officer, and that would prove easily attained and *bonâ fide* evidence of the fact before a committee. He had only one other observation to offer. The remedy he proposed attached to the criminal the very measure of his guilt. The profligacy, the perjury, the rascality of any man who consented to be made the instrument in such vile proceedings was open and manifest enough; but what then was to be said of those men, men of character and education, who ought and did know better—what was to be said of them who were the first to set the system going by seducing men to commit such gross and corrupt perjury? The remedy he proposed did not reach them. The ordinary principles of law prevented him from attempting to touch them. However, as the measure was one wholly devoid of all semblance of party feeling, he would be most happy to receive any suggestion, but more especially from hon. and learned Members, on the last point; he should like to amend it so that they might reach the great offenders. The hon. Member concluded by moving for leave to bring in his bill.

Mr. *Mackinnon* seconded the motion.

Mr. *Ross* wished to address a few observations to the House in consequence of the hon. Member having said that he had gained much of his experience on the subject from having been one of a committee which set upon the election for Belfast, in 1841, when the return for that town was set aside. Before that committee, a man named Howler confessed his iniquities with a greater show of contrition, saying that he had been induced to begin the system of personation because the other party were actively engaged in it. Now, he could state positively that there never was a more false statement made, for there was not the shadow of a reason for saying that there was even a single case of personation among those who were his friends upon that occasion. One fact connected with that election he would state to the House. He went into one of his committee-rooms, to which a man was dragged by his (Mr. Ross's) friends, and he had considerable difficulty in saving him from being mal-treated, because he had come forward and tendered his services to personate voters on his behalf. From the two petitions which had been presented last Session complaining of returns for Belfast, that town had suffered very considerably in the public estimation. It ought, however, to be known that it was distinctly proved that, although personation had been practised, not one of the inhabitants of Belfast was implicated in the offence; a fact, which, when known, must tend much to restore to the town its good name. He should give the measure of the hon. Gentleman his utmost consideration, and would be most happy to contribute, in however small a degree, to bring so desirable a law into operation. By the present law no power but a committee of that House could remove the name of the voter personated from the poll.

Mr. *Brotherton* offered his thanks to the hon. Member opposite (Mr. Liddell) for so excellent and necessary a measure. He hoped the remedy proposed would not only be salutary but effectual.

Motion agreed to.

DISTRESS IN PAISLEY.] Mr. *Wallace* proposed to nominate the committee proposed by him to inquire into the distress of Paisley.

Mr. *M. O'Ferrall* hoped the hon. Gentleman would not press his motion before Monday. A meeting had been lately held in Paisley, at which a resolution had been come to, that no person from Ireland who had not been resident in the town upwards of ten years should receive relief from the funds at the disposal of the relief committee. He would say no more than that the fact had caused considerable dissatisfaction in Ireland. He had no doubt it had arisen from accident, but the fact was, there was not the name of one Irish Member in the list proposed. On Monday he would be prepared to nominate two Gentlemen, and he thought in fairness, Ireland ought to be represented in the committee.

Mr. *Wallace* had no objection to postpone his motion to Monday.

LAW COURTS (IRELAND).] Mr. *F. French* begged to ask the right hon. Gentleman the Chancellor of the Exchequer, if it was his intention to introduce during the present Session, a bill for the regulation of the law courts of Ireland, and, if so, whether it would be brought in before Easter.

The *Chancellor of the Exchequer* said, it was the intention of her Majesty's Government to introduce a bill for the purpose of improving the regulations of the law courts in Ireland; but, from the present state of public business, he could not say when it would be brought in.

Adjourned.

HOUSE OF LORDS,

Monday, February 13, 1843.

MINUTES.] BILLS. *Public.*—1ª. Creditors and Debtors (Lord Brougham's).
2ª. Attorneys and Solicitors.
Private.—1ª. Hough's Divorce.
PETITIONS PRESENTED. By Lord Brougham, from Newton Colliery, for the Repeal of that part of the Mines and Collieries Act which Forbids the Employment of Women and Children; and from persons at Paisley, for the Repeal of the Corn-laws.—By a noble Lord, from the Dean and Chapter of Hereford, for the Repeal of so much of 6 and 7 Will. 4th, c. 77, as to the Union of the Sees of St. Asaph and Bangor.

SANITORY MEASURES—SEWERAGE.] The Earl of *Clarendon* begged to ask, on the part of his noble Friend the Marquess of Normanby, who was unavoidably absent, whether it were the intention of the Government to bring forward any measures relating to the sanitory condition of the people?

The Earl of *Ripon* said, it was intended to introduce into the other House a Bill for regulating buildings in London; but as regarded the general question of the sanitary condition of other towns, and the mode of effecting improvements, Government contemplated issuing a commission for the purpose of inquiring into the subject upon scientific principles. This was rendered necessary, in consequence of the difference of opinion which prevailed amongst competent persons with respect to the manner in which the sewerage of London was executed.

THE BANK CHARTER.] Lord *Monteagle* rose to put some questions, of which he had given notice, to the noble Duke. In the first place, he wished to know whether it were the intention of the Government to introduce any measure this Session relative to the Bank charter? The next question which he had to ask related to the system of banking generally. Inquiries had been going on for several years past, relative to the general laws of banking in this country. It was stated last Session, in the other House of Parliament, on the part of the Government, and he thought properly, that the Government had no intention of proposing any further inquiry upon the subject, because they considered the question ripe for discussion, or legislation, if either were required. He wished to know, therefore, whether it were the intention of the Government to introduce any measure this Session on the subject of banking? There was still another point, respecting which he wished to be informed. By the Bank Charter Act of 1833, the usury laws were altogether repealed for a certain period, with respect to one class of securities, namely, bills of exchange of three months' date, or having no longer to run. That provision of the act had been renewed by several temporary acts, the last of which would shortly expire. Now, as many bills in commercial transactions were drawn for as long dates as twelve months, the drawers and acceptors of such bills would be naturally anxious to know whether a Bill would be introduced to continue the provisions of the present act. He wished to guard against any inference being drawn that he was unfavourable to the existing arrangement respecting the Bank of England from the first of the questions which he had proposed.

The Duke of *Wellington* said, that the Bank Charter Act would not expire until August, 1844. It was not the intention of the Government to introduce any measure on that subject during the present Session. Neither did the Government intend to bring forward any proposition this Session relative to banking business generally; but the Government would bring in a Bill to continue the repeal of the usury laws relative to bills of exchange.

Debtors and Creditors.] Lord *Brougham* laid upon the Table the Debtors' and Creditors' Composition Bill.

The *Lord Chancellor* said, that a similar Bill had been brought in by Lord Cottenham, whilst Government intended to introduce another. He suggested that the progress of two Bills upon the Table should be suspended until all these measures were before their Lordships, when they might all be referred (such was the intention of the Government) to a Committee.

Lord *Brougham* had no objection to that course.—Bill read a first time.

The Law of Libel.] Lord *Campbell*: I rise, in pursuance of the notice I have given, to move for a Select Committee of your Lordships to consider the law of defamation and libel. I know how difficult it is to obtain attention to such a subject. Absorbed by disputes between this country and foreign states, and questions on which the fate of rival parties at home may depend, Parliament and the public are generally rather indifferent respecting any defects in our jurisprudence. Yet upon the frame of our laws the permanent credit, glory, and happiness of the country must mainly depend; and a duty is cast upon those intrusted with the power of legislating, of considering the state of the law from time to time, and adapting it to the varying circumstances of the age. One of the most important branches of the law is that which respects defamation and libel. There must necessarily be legislation on this subject. The boundary must be defined between permitted discussion and words and writings injurious to individuals and dangerous to the state. Remedies must be provided for an attack on private character, and punishments must be enacted against incitements to crime. You can as little licence as you can forbid all speaking or all written publications. In every country, therefore, the law must attempt to distinguish what is permitted from what is forbidden, and by civil and criminal sanctions guard the line which it lays down. I am sorry to say that on this important subject the law of England is more defective than that of any other civilised country in the world. Our law respecting property is excellent. Our commercial code is admired, and universally imitated. Our criminal code generally has been greatly improved, and rendered not only more humane, but more enlightened and discriminating. Our law respecting defamation and libel has always been, and continues vague, uncertain, incongruous, inefficient, neither authoritatively permitting free discussion, nor effectually protecting private character. A little consideration will make us cease to wonder that this peculiar branch of the law should be so defective among us. There has been no act of Parliament upon the subject, except some absurd statutes passed in the reigns of Edward 1st and Richard 2nd, about false news, and *scandalum magnatum,* which, though not formally repealed, have long been obsolete. Mr. Fox's Libel Bill, in 1793, for asserting the right of juries to find a general verdict upon the whole matter, did not vary the law as to the offence of libel. What can we expect from the common law on such a subject? At the time when the common law took its origin, not only was printing unknown, but very few could read, and still fewer could write. Your Lordships' ancestors, the bold barons who followed Cœur de Leon to the Holy Land, and wrung Magna Charta from King John, were chiefly marksmen, and signed with a cross. But all the rules of the common law are supposed then to have existed; and how can we expect to find these rules adapted to the middle of the nineteenth century, when there are newspapers published daily, of which many thousand copies are sold, and which are read by many millions? The law upon this subject has been entirely manufactured by judicial tribunals, and chiefly by the Star Chamber. I do not feel the repugnance which some affect to judge-made law. Upon many subjects the law is better framed by the decisions of the judges, adapted to the exigencies of society, as discovered in particular cases, subject to be reviewed and altered, than it would be by prospective statuteable enactment. But the law of libel is by no means a good specimen of judicial legislation or judge-made law. Very soon after the introduction of printing, the Star Chamber was established by Henry 7th. This was a mere instrument of the executive Government: great jealousy was entertained of the press by all European kings, and particularly by the House of Tudor, and into the Star Chamber all alleged offences of the press were brought for punishment. When the Star Chamber was happily abolished, in the time of Charles 1st, its decisions were still considered as expositions of the law, and the famous case in the Star Chamber, "De Libellis Famosis," reported by Lord Coke, was considered binding on all the courts of Westminster Hall. Then, my Lords, although the common law judges might well be trusted to lay down rules for the enjoyment of property, I cannot think (with all repect to their memory) that they were well qualified to determine, without any assistance from the Legislature, what should be the just limits of discussion and free inquiry, and what remedy should be given, by action or indictment, where these limits have been transgressed. The judges were appointed and were removable by the Crown; and in former times, devoting themselves to their black-letter studies, they mixed little with the world, and were apt to take a very contracted view of social expediency. Whatever the cause may be, I think few will deny that the present state of the law respecting defamation and libel is exceedingly defective, and that it requires to be revised. I shall content myself with pointing out to your Lordships a few of what I consider its most glaring defects. I begin with the distinction which it makes between spoken and written slander, a distinction not made by the law of Scotland or the law of France, and condemned by some of the most eminent judges in England. With us it is not an offence to speak any words, however calumnious, on any occasion, however public, of any individual however honourable or exalted; but for a private letter, not meant to be seen by any one, except the person to whom it is addressed, if it contains anything reflecting on the character of another, the writer is liable to be indicted, fined, and imprisoned. If it were falsely proclaimed at a county meeting that the Member for the county then attending his duty in Parliament had murdered his father, the calumniator would be exempt from any criminal proceedings. The excuse given is, that a written calumny, or a libel, tends to a breach of thepeace; but if this were the true foundation on which slander is treated as a public offence, have not opprobrious words the same tendency? There is another distinction, equally without principle, between spoken and written slander—as to the civil remedy. For anything in writing at all criminatory—even, it is said, hurting the feelings of another—an action may be maintained to recover damages; but for words, however maliciously or publicly spoken, no action lies, unless they impute an indictable offence, or reflect upon a man in his profession, or import that he is afflicted with a contagious disease. Saying that a man of high rank is a coward and a liar would not be actionable, although it would be actionable to say that he has the measles or the hooping cough. To apply to a woman of exalted station and unblemished virtue the most opprobrious epithets that can be applied to her sex, could not be made the foundation of any proceeding, civil or criminal, unless the words were spoken within the walls of the city of London, where ladies of a certain description are liable to be carted. Indeed, a suit might be brought *pro salute animæ*, in the Ecclesiastical Court, and the propagator of the scandal might be condemned to do penance before the congregation in a white sheet; but by a bill introduced by the Government into the other House of Parliament, even this remedy is abolished. Is it not fitting that we should consider seriously whether the law may not be freed from such incongruities? It is more than thirty years since Sir James Mansfield, Chief Justice of the Common Pleas, a man not apt to blame the law unnecessarily, and not at all given to change, lamented this distinction between written and spoken slander, and said he gave effect to it only because he was bound by the decisions of his predecessors. In this manner the Chief Justice called for the interference of the Legislature to wipe off a blot which judges had cast upon our code. But when I come to consider criminal proceedings for libel, I find things still more to be lamented and condemned. In the first place, we have no definition to be relied upon, either as to what is a personal or what is a political libel. I know the extreme difficulty to be encountered in attempting any such definition. My noble and learned Friend (Lord Brougham), who has tried his skillful hand at it, has pronounced it impossible. Yet I do not utterly despair, and I am sure your Lordships would well employ a portion of your valuable time in trying to supply this deficiency. The evil of uncertainty is so great as sometimes to create a wish for a licenser of the press. It is often utterly impossible to say whether a publication is libellous or not, if you have no more precise criterion than whether it be hurtful to the feelings of an individual, or tends to bring him into odium, or contempt, or ridicule. According to this, H. B. who has so much amused the present generation, may be a terrible libeller, and my two noble and learned Friends, the present Lord Chancellor and the ex-Lord Chancellor may indict him for his last caricature, very harmlessly representing them as basketing Whig Reform, and dividing between them the patronage of the Court of Chancery. But with regard to political libel the deficiency is more flagrant. From the mildness of judges, and the liberality of juries, this evil in the administration of justice is much mitigated; but I must say that no man can tell how far in strict law he may go in commenting upon public men or measures. Great latitude is allowed under the conceded freedom of "fair discussion." But no such latitude was allowed till recent times; and the Legislature never having interposed to change the law, I am rather doubtful what the law really is. In the year 1704 it was laid down, in the "Queen *v.* Tutchin," by that most constitutional judge, Lord Holt, that it is libellous to publish anything reflecting on the existing administration. That was an information, *ex officio*, by the Attorney-general, for certain articles in a newspaper called the *Observator*, reflecting upon the Government, particularly in the management of the navy, and Lord Holt said to the jury,

> "If people should not be called to account for possessing the people with an ill opinion of the Government, no government can subsist. For it is very necessary for all governments that the people should have a good opinion of it. And nothing can be worse to any government than to endeavour to procure animosities as to the management of it; this has been looked upon as a crime, and no government can be safe without it be punished. Now you are to consider whether these words I have read to you do not tend to beget an ill opinion of the administration of the Government. To tell us that those that are employed know nothing of the matter, and those that do know are not employed. Men are not adopted to offices, but offices to men, out of a particular regard to their interest and not to their fitness for the places; this is the purport of these papers. If you are satisfied that he is guilty of composing and publishing those papers at London you are to find him guilty."

I must take this to have been the law in the reign of Queen Anne, and I know not when it was altered. In the most recent edition of "*Hawkins' Pleas of the Crown*" (a book of great authority), I find it laid down,

> "It is a very high aggravation of a libel that it tends to scandalize the Government, by reflecting on those who are intrusted with the administration of public affairs, and to breed in the people a dislike to their governors."

If the law were now so laid down to a jury by a Chief Justice, and could be brought before your Lordships in your judicial capacity by writ of error, I know not exactly how you could hold the charge to be erroneous. If the right of freely discussing the measures of Government belongs to the subject, ought he not to hold it by a more secure tenure than the varying opinions of judges? I come now to a point of very great difficulty, on which I have myself a strong opinion, but on which others, entitled to the greatest deference, think differently. Upon a criminal prosecution for a libel, ought the defendant to be permitted to give in evidence the truth, or *veritas convicii*? The criminal law commissioners have given it as their opinion, that in early times a libel to be indictable must be false, and this seems to have been taken for law so late as the year 1702, in the case of the Queen *v.* Fuller. There being then an information for a libel, stating that persons in office had carried on correspondence with the abdicated monarch, James 2nd, and had received sums of money from him, the Attorney-general called upon the defendant to prove the truth of the libel, if he could, and Chief Justice Holt several times invited him to produce witnesses to prove the truth of the libel, intimating that if he did so he would be entitled to an acquittal. But in 1793 the judges being consulted by your Lordships, gave it as their opinion that by the law of England the truth cannot be given in evidence on the trial of an indictment or information for libel; and it has been since decided, that after a conviction the truth cannot be disclosed to the court by affidavit in mitigation of punishment. This being the state of the law, does it not deserve consideration from your Lordships whether it ought to continue? Its inconveniences are manifold, and it can only be submitted to from an apprehension that still greater inconveniences would follow from its alteration. It is revolting to the common sense of mankind, which declares in the language of the civil law,—

> "Eum qui nocentem infamavit non esse bonum æquum ob eam rem condemnari; nam peccata nocentium nota esse et opportere et expedire,"

It brings great scandal on the administration of justice, by confounding different degrees of guilt, and by confounding with the guilty those who are morally innocent. It strips character of the effectual protection of the law; for a prosecution has little effect in vindicating character, when the public know that whether the charge be true or false, there must equally be a conviction, and the punishment is the same. It prevents the severe punishment from being inflicted which is deserved by him who is proved knowingly and maliciously to have brought a false charge against another. Mr. Starkie, the very learned author of the "Law of Libel," and the head of the criminal law commission, states, as the result of the present law, that as the truth is excluded, no man can be justly punished for a libel, except upon the footing that it is true; that is to say, he cannot justly have a heavier sentence than might fairly be imposed upon him for truly publishing the charge. The present rule has a strong tendency to keep back from the public important information, which the public have an interest to possess. Your Lordships may remember an indictment for a libel preferred by a foreign swindler, who had been convicted and sentenced to the galleys in France, and here sat up as an instructor of youth. The defendant at the trial offered in evidence a copy of his conviction, under the seal of the court; but the judge ruled that it could not be received, and the jury were compelled to find a verdict of guilty. To show how the rule may work, I will mention a still more recent case of the *Times* newspaper, which ventured to expose the machinations of the most desperate and formidable gang of swindlers ever assembled, who, by forged letters of credit, had laid a plan to cheat the principal bankers all over Europe on the same day. A civil action was brought, and by infinite labour and unbounded expense, evidence of the conspiracy was obtained from many different cities on the continent, and it was proved to the satisfaction of the jury. The commercial body of the city of London voted a valuable testimonial to the proprietors of the *Times* for their spirited exertions, and the benefit they had conferred upon the public. But, my Lords, if any one of these swindlers had preferred an indictment against the *Times* for this same libel, the truth would have been no defence, and could not have been received in mitigation of punishment, and the same individuals, so publicly thanked, would have been liable to fine and imprisonment as calumniators. Perhaps the greatest evil of the present system is, that it gives the most wicked slanderers a pretext for saying that they are ill-used, and the means of exciting public sympathy in their favour. The leading journals, on both sides in politics, are very respectably conducted: they abstain from attacks on private character, and do not violate the sanctity of domestic life. But there are one or two journals which exist by slander—by pandering to the base appetite for scandal—and, as I have been credibly informed, by extorting money under the threat of publishing paragraphs reflecting on the honour of families. If they are prosecuted for libels, they immediately complain of the law of libel: they say they are victims to this law; and conscious of the utter falsehood of what they have published, they represent that, if they were permitted, they could prove the whole to be true. According to the doctrine of Mr. Starkie, they can only be punished as if the whole were true; the distinction between truth and falsehood being avowedly disregarded in the sentence, they cannot be treated as wilful and deliberate slanderers, and no reparation is done to the reputation of the parties whom they have so grievously wronged. When such are the evils arising from the exclusion of the truth, what are the objections to its admission? We are told that the essence of the offence consists in its tendency to produce a breach of the peace—which is as great whether the charge be true or false; and indeed, if the principle were just, the legitimate consequence is, "that the greater the truth, the greater the libel;" for it has been justly observed that many people despise what is palpably false, and resent what has an appearance of probability. But I regard this reason for making libel a criminal offence as a contemptible fiction. Libel is an offence in the same manner that theft is an offence; because it deprives a citizen of that which he is entitled to enjoy, and which the good of society requires should be protected by penal sanctions. Is it really criminal to caluminate a bishop or a judge, or a friendless woman, because it is feared they would break the peace by horse-whipping the libeller? Reputation is to be protected like property in the possession of the rightful owner. But, generally, there is no injury done to an individual in speaking the truth concerning him. So strongly is this recognised by the law of England, that truth, or the *veritas convicii*, is always considered an answer to an action for damages. In reality, an indictment for a personal libel is a private remedy as much as an action. The public prosecutor never interferes on such an occasion; and the only object is private redress or revenge. With what consistency or propriety, then, do you refuse a civil action to a person truly charged with a crime, and give him a criminal prosecution, as if he were unjustly accused? But it is said, that instead of publishing offences to the world, the offenders should be carried before a magistrate, and brought to justice according to the forms of law. How would this apply to offences, of which the party may have been already convicted, or to offences committed in a foreign country? How does it apply to many offences against honesty and morality, for which no legal punishment has been provided? Suppose there were a man so hardened in profligacy as systematically to answer the advertisements of unprotected young women for the situation of governess, with a view to seduce them, he could not be criminally prosecuted; but is it not desirable that a public warning should be given against his infamous schemes? The criminal law commissioners, in their last report, have pointed out the peculiar hardship of excluding the truth upon the trial of a criminal information. The information is only granted upon the charge being negatived by the prosecutor, and not being substantiated on affidavit. But, say the commissioners, an editor may have inserted the article on the credible tetimony of persons whom he cannot compel to make an affidavit, and whom he might compel by subpœna to give evidence at the trial. However, when the case comes to trial, the jury are told the libel is false, or the court never would have granted the information, and the judge is not permitted to receive evidence to show that it is true. I must agree with them, that there is a danger of this creating a prejudice against the defendant, and perhaps it might be salutary if, as they suggest, this extraordinary interference of the court should not be invoked unless the prosecutor should be prepared to allow the truth of the charge to be submitted to the jury. Although I would allow the truth in every instance to be given in evidence, I am not prepared to say that in every instance it should amount to a complete defence. Upon this point I venture to differ, with great respect, from the commissioners who prepared the new code for our Indian possessions, and to agree rather with the celebrated code prepared by Mr. Livingstone, for the state of Louisiana, according to which, the truth being admitted, it is left to the jury to say whether the publication was for the good of the community. I allow that you cannot look merely to the private motives of the defendant. Although they should be malicious and revengeful, if a benefit has been conferred upon society, he ought not to be punished as a criminal. But many cases may be imagined where society has no interest to be informed of the private history of an individual, and when the malicious disclosure of what is true is wrongful, and ought to be punished. There may have been faults committed in early youth atoned for by penitence and a long course of good conduct, which may have conducted the individual to a station in which gravity and sanctity of character are required. Is it to be understood that these faults which were, perhaps, never known, or are forgotten, may be now blazoned to the world with impunity? Most of your Lordships have heard the story of the girl seduced when very young—reformed and respectably established in life—being threatened by her seducer that he would publish her shame to the world unless she would renew her illicit intercourse with him. A man may have personal failings, or may be unfortunate in his domestic relations, so that a malicious disclosure of such circumstances may give him great pain without any benefit to the public. Another defect in the present libel law, showing that it requires revision, is the difficulty of ascertaining who is liable as publisher. It has been ruled in former times, that a person who laughs when he hears a libellous epigram read, is liable as the publisher. In my own time it has been laid down, that all the registered owners of a newspaper are absolutely and conclusively liable to a criminal prosecution for any libel inserted in the newspaper; and that proof was not admissible that it had been inserted without their general or special authority, and under circumstances where it was impossible that they could have authorised it. I do not believe that this is the law; and I never heard it so laid down by my noble and learned Friend the present Chief Justice of the Queen's Bench; but I think the rule ought to be promulgated by the Legislature, whether proprietorship is *prima facie* or conclusive evidence of publication. There is only one other defect of the law of libel which I would beg leave to point out to your Lordships—the entire absence of any attempt by law to apportion the punishment according to the degree of guilt. At common law, libel was considered universally an infamous offence, and was punished, at the direction of the court, with fine, imprisonment without any limit, pillory, whipping, and loss of ears. The punishment of the pillory has been abolished by statute—whipping and loss of ears may be considered as obsolete; but upon every conviction for libel the defendant is liable to fine and imprisonment, to the length of which the law has imposed no limit, without any distinction as to the nature of the charge imputed, or the station or character of the person against whom the charge is made; or whether it be true or false; or whether the defendant actually composed the libel; or whether, though subject to a legal complicity, he was, in point of fact, entirely ignorant of its contents. It is surely worth considering whether there might not be some gradation in the offence, as it occurs with or without particular aggravations, accompanied by a corresponding gradation of punishment. For these reasons, my Lords, I venture to propose to your Lordships that a select committee should be appointed to consider the whole of this subject. My noble and learned Friend on the Woolsack has very courteously asked me why I do not at once introduce a bill? My answer is, that I have by no means, at present, sufficient confidence in my own views to propose them for the adoption of the Legislature, until they are considered and canvassed by others more competent to come to a right conclusion, and until additional information is obtained. If it be your Lordships' pleasure that the committee I move for should be appointed, I hope we may be able to examine before it lawyers, not only belonging to this country, but to other countries in Europe, and not only lawyers, but gentlemen from other classes of society who have attended to the general subject of jurisprudence and the restrictions by which the communication of ideas by speaking, or by the press, ought to be guarded. When the committee shall have concluded their labours, I pledge myself to present a bill upon the subject, aided by their inquiries and deliberations. No one can feel more deeply than I do the importance of protecting from calumny the reputation of individuals, and of correcting the abuses of the press which may be dangerous to the public tranquillity, and injurious to morals and religion; but I am convinced that these great ends will be more effectually attained by rendering the law more certain, more discriminating, more just, and more in harmony with the opinions and feelings of the people.

Lord *Brougham*, in seconding the motion said that everything he had heard on this subject since, only confirmed the opinions respecting what he broached in the year 1816, when he called attention to the subject in the other House of Parliament. Had his noble and learned Friend thought proper to proceed by bill, he should have taken the liberty of moving that his bill also should be referred to the committee, as had been done with great advantage in the case of the law of debtor and creditor. He certainly did not think that there was any means of defining libel, or instructing the judges as to what they should consider the bounds of fair discusssion. He was persuaded that no definition could be adopted which would not have the effect of limiting discussion. However, the whole question would be canvassed in the committee, where they might have the evidence of lawyers, writers, and other men interested in the question. I do hope (continued the noble and learned Lord) that this amendment of the law of libel will have the effect of putting an end at length to the impunity of those who are by far the most pernicious and scandalous of all libellers—those who abuse the liberty of the press—who abuse and pervert it to their own sordid and malignant purposes, but, above all sordid purpose—those who use the freedom of the press as pirates do the freedom of navigating the great highway of nations, who inflict cruelties, not to be described, in order to drive a private and sordid traffic which I cannot find words sufficiently glowing and pointed to express my abhorrence and disgust at the contemplation of—infamous and detestable persons, whose avocations my noble Friend described in not too strong, but well-merited terms, who pursue a hateful trade in the terrors of mankind, ay, and of womankind. In the terrors of mankind, I repeat, who do not dread exposure on their own account—for they are fearless as to any attempt on their character—but who suffer vicariously, in the outraged feelings and fears of those connected with them, through which assaults on their own reputation become assaults on their peace—men who perpetrate their flagrant misdeeds under the eye of Parliament, and receive sums of money, nay, amass fortunes, by levying their contributions on those who thus hope to stop their vile and slanderous publications. My Lords, I could not hear this subject alluded to without expressing a hope that the result of the inquiry will, at all events, be a remedy for the grievous evil which I have just alluded to.

The *Lord Chancellor* : It was quite true that, after his noble and learned Friend had given his notice, he had stated to him that he should not object to the motion. For this reason, and because they should have an opportunity, when all the materials were before them, of treating the matter with greater advantage, he did not think it desirable to enter into the consideration of the various topics—some of them of great difficulty, and others of extreme nicety—to which their attention had been called. He certainly did think, and he had so suggested to his noble and learned Friend, that, considering his great experience, and that he was fully master of the whole subject—and considering also that there were many other noble and learned Lords who had directed their attention to the subject—the better course would be to direct specifically their Lordships' attention to those reforms and amendments which ought, in his opinion, to be introduced in this branch of our laws. We should then have had an opportunity of discussing each point one after another, and when affirmed they could be referred to the committee. In that case certain points only would be brought under the notice of the committee, which had received their Lordships' previous consideration. His only regret was that he feared his other avocations would prevent his attending the committee.

Lord *Denman* regretted that his noble Friend had not stated the alterations which he intended to propose in the existing law in the form of a bill, in order that their Lordships might have an opportunity of judging of them beforehand. He should certainly have preferred hearing something definitely suggested upon the subject; and when his noble Friend stated that in the codes of other countries the law relating to libel would be found to be less defective than our own system, he should like to have heard what those enactments were by means of which it was supposed that we could improve our own. That the system at present in use in this country might be improved in some points he had no doubt. For instance, there was a doubt relative to the length of punishment which in some cases it was competent to inflict, and he should like to see a certain limit imposed as the maximum to which such punishment should extend. There was now, he knew, no fear of personal mutilation being resorted to in any case, but he would have a declaration in a definite clause prohibiting it in any measure which might be proposed relative to the law of libel. With respect to the suggestion thrown out relative to truth being admitted as a justification for libel, it appeared to him that there would exist some difficulty in applying the test proposed. He did not say that there were not many cases in which the occasion for uttering defamatory matter might be a justification for uttering it; but the utterance of the mere naked truth had been shown by his learned and noble Friend to be capable of causing much misery, and producing many evil consequences, without tending to the possible gratification of aught other than the malice of parties, who might have raked up faults long ago repented of and atoned for. The subject of the law of libel was one which had occupied the attention of all connected with its administration; and he would only refer to the Libel Act, introduced by Mr. Fox in the year 1792, to remind their Lordships of the great service which that enactment had rendered to the cause of liberty and truth. With reference to the harshness with which the law of libel had occasionally been administered, he would cite the case of Mr. Johnson, the bookseller, in St. Paul's Church-yard, who was convicted of a libel because a political pamphlet of Gilbert Wakefield had been exposed for sale in his shop. Johnson had been Wakefield's publisher of scientific and learned works, but he had expressly refused to publish this pamphlet—nay, he had actually declined to allow the book to be sold on his premises, and it was by a mere accident that it was so sold. Nevertheless, Mr. Johnson went to prison for eight months because he, in the eye of the law, was the publisher of the libel. No such event he was sure could take place now. Common law had worked its way through the feelings of mankind, and, filtered through sentiments of justice and rectitude, it would never be again laid down in the oppressive way in which it had once been administered. But whatever made that certainty still greater would be most agreeable to him, and he would, therefore, willingly support the proposal of his noble and learned Friend.

Lord *Cottenham* suggested, that it would be advisable if certain evidence taken on this subject before a committee of the House of Commons in 1834, should be laid before the committee of their Lordships, now moved for.

Lord *Campbell* replied, that although that evidence had not been officially communicated to their Lordships' House, yet that he himself had the means of laying it before the committee.

Motion agreed to.

ATTORNIES AND SOLICITORS' BILL.] Lord *Langdale* said, I have the honour to move the Second Reading of the Bill for Consolidating and Amending several of the Laws relating to Attornies and Solicitors. Your Lordships are aware that the Legislature has, from a very early period, thought it right to secure to all persons the right of employing attornies and solicitors to appear and act for them in the courts of justice, and to transact all legal business on their behalf; and also to adopt such regulations as were thought calculated to provide the public with attornies and solicitors duly qualified for the performance of the duties they undertook. The business in which attornies and solicitors are employed is of the utmost importance; it relates to transactions affecting the characters, the properties, and the lives of their clients. The agents and confidential advisers in such transactions have necessarily become a very influential body of men. Speaking in general terms, they may be truly said to be distinguished for their acquirements and integrity, but they are placed in circumstances and engaged in business often so little understood by those for whom they act, that it has been thought expedient and necessary to subject them to special regulations.

The laws which had previously been made for the admission and regulation of attornies and solicitors were superseded by the Statute 2 Geo. 2nd, c. 23. That act was experimental, and was to be continued for nine years only. It was explained, amended, re-amended, and prolonged by several subsequent acts, and ultimately made perpetual by the 30 Geo. 2nd, c. 19. The regulations were intended to secure the due qualification of the persons admitted to practice and to afford protection to clients against improper charges. To secure the qualification it was provided that the candidates should, before admission to practice, be examined as to their fitness and capacity, and should have had the means of instruction by employment and study in the service of qualified persons under articles of clerkship. And for the protection of the client against improper charges, attornies and solicitors were prevented from bringing actions for the recovery of their bills for business done in the courts, until they had first delivered the bills to their clients, who had an opportunity afforded them of procuring the bills to be taxed and moderated by the officers of the courts.

Subsequent to the time when the act of the 2 George 2nd, was made perpetual, it was thought fit to impose stamp duties on attornies and solicitors; and for the purpose of collecting the duties, it was by the 25 George 3rd, c. 80 enacted, that every attorney and solicitor admitted to practice should annually take out a certificate of such his admission, and of his enrolment or register; and that every such certificate shonld be charged with a stamp duty. And various regulations were made for imposing on attornies and solicitors, the obligation of taking out the certificate. And at a subsequent period, by the Act 34 George 3rd, c. 14, a stamp duty was imposed on articles of clerkship and on admittances. It is not proposed by this bill to interfere with the stamp duties; but I have thought it right to state them for the purpose of shewing the origin of the certificate which was merely fiscal.

After a considerable interval some further amendments were made in the laws relating to attornies and solicitors; and encouragement was given for their more liberal education in the Universities of Oxford, Cambridge, Dublin, Durham, and London.

The consequence of there being so many Acts of Parliament relating to the same subjects has been a considerable perplexity and obscurity in the law. Regulations which seem capable of being made clear, have become the subject of litigation and conflicting decisions; and to those who have considered the subject, it has long been thought desirable to consolidate the law, making, at the same time, such amendments as experience has suggested.

The subjects comprised in the present bill are principally these. First, the service of the clerks. Secondly, The examination and admission of attornies and solicitors. Thirdly, the certificates of their being duly enrolled; and, Fourthly, the taxation and payment of their bills of costs; and there are some matters of smaller importance which I shall have to notice as I proceed. The service of clerks is to be secured by articles of clerkship; and, according to the general rules, it is to continue for five years, but one of the five years may be served with a London agent, and another with a special pleader or barrister, and the service of five years may be reduced to a service of three years, if the clerk be a graduate of any of the English universities, or of the University of Dublin. It is further provided, that the master with whom the service is to take place is to be in actual practice for himself, and is to have been so for five years. But care is so taken that the clerk is not to be prejudiced by want of due gratification of the master; and any complaint of defective service is to be made within twelve months after the admission. In this part of the bill the only new provision is that which requires that the attorney or solicitor who takes an articled clerk shall have himself been in practice for five years. It has been represented to me that some clerks have suffered from want of experience in their masters, and I have therefore been induced to make this proposal which I submit, to the consideration of your Lordships, having myself some doubt of its expediency.

As to the examination and admission of attornies and solicitors, the bill provides for the continuance of a real and efficient examination of all who are candidates to be admitted. The Act of Geo. 2d. provided, that the judges and the master of the rolls, or two masters in Chancery, should inquire by such ways and means as they thought proper touching the fitness and capacity of the candidates to be admitted. I am not aware whether any adequate examination was instituted upon or after the passing of the act, but if it ever was so, it had ceased to be efficient, and long before the year 1836, it had dwindled into a mere form. Instead of any examination at all taking place, attornies and solicitors were admitted on the proof of service, and on the certificate of barristers that they were fit. But in the year 1836 the Courts of Common Law, taking advantage of the establishment, and availing themselves of the assistance of the Incorporated Law Society, instituted a very efficient examination for ascertaining the attainments of attornies. This example was soon followed by the Court of Chancery, and, for about seven years past, there has been in every term a strict and most useful examination of the candidates for admission as attornies and solicitors. This examination has been productive of very useful results. I have been informed on authority, upon which I can rely, that a marked improvement has taken place in the conduct and character of students for that branch of the legal profession, and that the candidates from time to time present themselves for admission with proofs of increased acquirements, and better founded claims to respect and confidence. This bill provides for the continuance of this system of examination, reserving to the Judges and the Master of the Rolls the power of appointing separate examiners for attornies and solicitors respectively, and also empowering them, if they should so think fit, to appoint jointly one set of examiners for both attornies and solicitors. The examination is so conducted as to test the knowledge of the students in the practice in the Courts both of Law and of Equity. Whoever passes the examination is deemed to be qualified by his attainments to be both attorney and solicitor. One who is admitted as an attorney is considered to be entitled to be admitted a solicitor; and one who is admitted a solicitor is considered to be entitled to be admitted an attorney. The consequence is, that nearly every attorney is a solicitor, and nearly every solicitor is an attorney; and the two characters being thus consolidated, I had at one time hoped that one roll of attornies and solicitors might be established. But objections to that course having arisen, this bill preserves the separate rolls of attornies and solicitors nearly as they are now, and provides for the convenience and advantage of one general roll in a manner which I shall afterwards mention.

With respect to the certificate, it is to be observed, that the enrolment is the evidence that the attorney or solicitor has been found to possess the requisite qualifications to entitle him to practice. But the courts have great authority over him, and there are various acts of misconduct for which he may be struck off the roll. It is therefore important to ascertain from time to time that he remains on the roll, and this may be evidenced by the issue of an annual certificate to that effect. The certificate, however, was first required, and is now only required for the purposes of revenue, and to enforce payment of the stamp duty imposed upon it. In form it was at first a certificate of admission and enrolment duly stamped, and in that form might have afforded some evidence of the name of the attorney or solicitor being on the roll; but by subsequent regulations it has become a mere certificate that the stamp duty has been paid, and affords no evidence whatever of admission or enrolment. It is true that in by far the greater number of cases the name of the attorney or solicitor who pays the duty is enrolled; but there is annually published in a book called the "Law List," a list of the attornies and solicitors who have paid the duty; and there is no list published or made of the attornies and solicitors who are actually enrolled—and under these circumstances it sometimes occurs that persons pay the duty—obtain the certificate, by that means procure their names to be inserted in the "Law List," and thereby appear to be attornies and solicitors, although, in fact, they are not qualified as such, and are not enrolled. To practise as an attorney or solicitor without being on the roll, is an offence which subjects the offenders to great risks — but the risk is occasionally hazarded; and it is proposed by this bill to remedy the inconveniences which have arisen by those means, and to afford to the public better protection against the practice of unqualified persons by impressing the stamp upon a certificate which shall at all times afford evidence of the admission and enrolment of the attorney or solicitor who receives and holds it. The mode of obtaining this important object is to appoint a registrar of certificates, whose duty it may be to form one general roll of the attornies and solicitors from the rolls of the several different courts of law and equity, and who may under proper regulations issue certificates, showing the attornies and solicitors to be on the roll, making at the same time proper provision for the certificates being duly stamped. The incorporated Law Society being in a situation which eminently qualifies them for the performance of the duties of this office, and having the strongest interests to see the duties of it fairly performed, it is proposed that they should be appointed the first registrars—giving power, however, to the judges, to appoint any other if they should think proper. This simple regulation will make it unnecessary to continue some inconvenient and severe enactments which have led to much litigation and many conflicting decisions. But it is still proposed that attornies and solicitors shall not be able to recover any costs for business done at times to which their certificates do not extend.

The next subject to which I have to ask attention, is the delivery of bills and the taxation of costs; and in this respect the present bill proposes what seems to me a considerable improvement. The law as it now stands, prevents an attorney or solicitor from bringing an action to recover the amount of his bill for business done until the lapse of a month after the bill has been delivered to the client, who may therefore have the bill taxed. But the business referred to, must have been transacted in some court—so that as to business, of which no part has been transacted in any court (and there is a great deal of such business) the client has not this protection. The Court of Chancery has, indeed, exercised a jurisdiction which belonged to it before the statute of Geo. 2, to order the taxation of costs in cases where the solicitor claims a lien on documents in his possession, and has also exercised a jurisdiction to order the taxation of the bills of costs and costs of agents. But the Courts of Law have not exercised a like jurisdiction; and there are very many cases in which, according to the existing law there can be no taxation. This bill proposes to make many bills of costs not formerly subject to taxation, taxable, providing only that those bills which do not relate to business transacted in any court shall be referred for taxation to the Taxing Master of the Court of Chancery. This bill also provides that the attorney or solicitor may himself be at liberty to refer his own bill for taxation, if the client does not think fit to do so within a limited time after the delivery of the bill.

This bill contains the clauses which are contained in former acts for prohibiting attornies and solicitors from practising whilst in prison, from acting as agents for persons who are not qualified, and from acting as justices of the peace, except in places having justices by charter; and also for preventing unqualified persons from suing out writs, and acting in County Courts; substituting for penalties a provision that any infringement of the rule so made, is to be treated as a contempt of the court in which this offence is committed.

The only remaining clauses of the bill to which I think it necessary to ask the attention of your Lordships on this occasion, are the 43d, the 47th, and the 48th.

The great power and influence which an attorney must necessarily possess over his client during the pendency of a cause, has made the court regard security for costs given by a client to his attorney under such circumstances, with great jealousy. Securities for future costs are deemed to be illegal; and many suits have been instituted either for the purpose of setting aside securities for costs actually incurred, or for the purpose of reducing the sum secured to the sum really due from the client to the solicitor, on a full and fair investigation of the charges and accounts. It has been suggested, that many persons able to give security, but unable to advance money for the prosecution of their causes, have been prevented from instituting the proceedings necessary for the establishment of their rights, and for the purpose of preventing this hardship and diminishing litigation respecting such securities. This bill proposes to permit securities for costs to be taken, but to provide that they shall in no case extend to sums which shall not be found to be actually due upon taxation.

The 47th section contains words which make an alteration in the statute of George 2nd, by inserting instead of the words "to be," the words "holding at the time of the passing of this act the offices of." The effect is, not to prejudice any person who now holds the office of solicitor to one of the Government Boards, but to make the being an attorney or solicitor who has been examined and enrolled, a necessary qualification for the persons who may be hereafter chosen to fill such office. There can, I apprehend, be no doubt but that a sufficient number of persons, amply qualified by their character and attainments to fill these offices may be found among the attornies and solicitors really such. The duties of the offices may be most satisfactorily performed by persons chosen from that class, and considering the offices as conferring honour and distinction on the holders, it may be thought expedient to bestow them in a manner to encourage amongst a numerous and influential body of men, the cultivation of those qualities by which such honour and distinction may probably be attained.

The 48th section proposes to authorize attornies and solicitors to administer oaths, and if such authority could be given, it would undoubtedly afford great convenience to the suitors of the several courts. Having however, been informed that this power cannot be given without materially interfering with the emoluments of various persons—thinking it injury to take away those emoluments without giving compensation to those who may suffer, and not knowing at present of any means by which such compensation can be secured to them, I am afraid that I shall be under the necessity of asking your Lordships' permission to withdraw this clause in the committee.

Your Lordships will observe, that this Bill does not propose to disturb any enactments or statutes which enable all persons to employ attornies, and solicitors in the transaction of their legal business in the courts of law or equity, or which impose penalties for deceit, embezzlement, or perjury, or which charge attornies, solicitors, and their articled clerks with stamp duties, and which forbid attornies and solicitors and all other persons from committing champarty. The object is simply to contradict and amend several acts of Parliament which relate to the qualification of attornies and solicitors, and the protection of their clients from unjust charges. And I hope that your Lordships will have no objection to give this bill a second reading.

Adjourned.

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HOUSE OF COMMONS,

Monday, February 13, 1843.

MINUTES.] BILLS. *Public.*—1°. Personation of Voters; Transported Convicts.

2°. Medical Charities (Ireland).

PETITIONS PRESENTED. By Mr. W. S. O'Brien, from Erbistock, by Sir R. Inglis, from St. Marylebone, and Llanfairlathaiarn, and by other hon. Members, from the Rural Deaneries of Higham Ferrars, and North Ewell, against the Union of the Sees of St. Asaph and Bangor.—By Mr. Wallace, from Catholics of Paisley, to Inquire into the Conduct of the Paisley Relief Committee.—By Mr. Stuart Wortley, from Dallowgill, Laverton, and Aldfield, and by an hon. Member, from Llanfairlathairn, for the Extension of the Church of England.—By an hon. Member, from Whiteburn, for measures to prevent Collision between Civil and Ecclesiastical Courts (Scotland).—By Mr. Ross, from the Belfast Society for Preventing Cruelty to Animals, to Extend to all parts of the Empire the Act to prevent Employment of Dogs.—By Mr. T. Duncombe, from Brighton, for Inquiry into the Proceedings of the Late Special Commission.

CUSTOM-HOUSE FRAUDS.] Mr. *Bankes*, seeing the noble Lord in his place, wished him to inform the House when it might be expected that the report of the commission for inquiring into the customs frauds would be presented.

Lord *Granville Somerset* said, that his colleagues and himself were preparing an account of the investigation to be submitted to the Treasury; and when the result of the investigation was before the Treasury, it would be for the First Lord to decide when the report should be placed before the House.

Mr. *T. Duncombe* asked whether the commission had examined or intended to examine any of the merchants connected with the city of London? He had understood that the examinations had chiefly been confined to persons connected with the Custom-house; whereas persons engaged in trade were much better qualified to afford valuable information on the subject.

Lord *Granville Somerset* thought it quite natural that the commissioners should in the first instance, have called for the evidence of the custom-house officers; but in no instance had they refused to examine any one who had expressed a willingness to be examined. It was the desire to receive the evidence of all such persons that had chiefly led to the delay that had taken place in preparing the report.

VOTE OF THANKS—AFFGHANISTAN.] Mr. *W. Smith O'Brien* expressed a wish to have some information from the right hon. Baronet at the head of her Majesty's Government respecting the papers connected with Affghanistan. Did the right hon. Baronet think there was any prospect of his being able to bring on the motion for the vote of thanks on the day fixed for it?

Sir *R. Peel* said, he held in his hand the papers which it was his intention, in two minutes, to present to the House, in obedience to her Majesty's commands. He thought that the voluminous nature of the papers, and the important subjects that would be likely to occupy the House, during the present week, might make it difficult for hon. Members to find sufficient time to make themselves acquainted with the contents of the papers. Under these circumstances he thought it would be better to defer the motion for the vote of thanks; and he would, therefore, name Monday as the day on which he would bring it forward.

The papers to be printed.

NAVAL COURTS MARTIAL.] Sir *Charles Napier* wished to put a question to the Secretary of the Admiralty. Considerable doubts prevailed among naval officers of high rank whether commanders serving on board line-of-battle ships were qualified to sit on courts martial as commanding officers. He wished to know whether the opinion of the law officers of the Crown had ever been taken on the subject?

Mr. *Sidney Herbert* said, that the point had never yet been raised. If the question ever should arise, the case would be submitted to the law officers of the Crown.

Sir *Charles Napier* asked whether there could be any objection to submitting the question at once to the law officers? The uncertainty which at present prevailed on the subject might lead hereafter to considerable difficulties.

THE AMEERS OF SCINDE.] Sir *T. E. Colebrooke* rose to ask the question of which he had given notice on Friday. By the last mail from India they had been informed of some coercive measures likely to be taken against the Ameers of Scinde. He was desirous of knowing what justification could be adduced for this interference, and whether the treaty concluded with the Ameers in 1839 was not still in force?

Sir *R. Peel* said, that the treaty concluded by Lord Auckland, in 1839, with the Ameers of Scinde, contained one important stipulation, by which the Ameers of Scinde pledged themselves to act in subordination to the British Government in India, and not to enter into any treaty with any other powers without the concurrence of the British Government. The Ameers, however, were charged with infractions of this treaty, and with levying tolls on the Indus. In consequence of the infractions of the treaty to which he had alluded, conditions had been submitted to the Ameers as the basis of a new treaty. At the time the last mail came away, sufficient time had not elapsed to allow the Government to receive an official account of the result of these negotiations, but the accounts they had received led them to believe that the Ameers of Scinde had expressed their willingness to accept the terms which had been submitted to them as the basis of a future treaty.

CURRENCY AND BANKING.] Mr. *C. Wood* wished to put a question to the right hon. Baronet opposite, upon a subject which had of late excited a good deal of public attention—the subject of currency and banking. An impression seemed generally to prevail that some legislation would take place upon the matter in the course of the present Session; and he now wished merely to ask whether it were the intention of her Majesty's Government to introduce any measure during the present Session upon that subject?

Sir *R. Peel* said, he believed that the present state of the law with respect to banking, so far at least as the Bank of England was concerned, was, that the charter of the Bank of England would not expire till the 1st of August, 1844; or rather that it would then be competent for the Government to give notice of an intention to introduce a change in the charter of the Bank. He was aware that they might legislate with reference to private and joint stock banks, but her Majesty's Government did not think there was any necessity for calling the attention of the Parliament to the subject during the present Session

THE WEST INDIA MAIL PACKETS.] Mr. *Bernal* wished to call the attention of the Government to the very imperfect transmission of letters from the West Indies, and especially from Jamaica, under the present system of mail packets. The more distant parts of the island of Jamaica had no means of communicating with the post-offices from which the packets took their departure, and very great inconvenience had consequently arisen.

Mr. *Sidney Herbert* said, he was quite ready to admit that there had been great irregularity in the transmission of the mails through the West India packets. The present scheme of routes carried into execution by the company was, however, a provisional scheme. In the mean time, the Admiralty and the Post-office were collecting as much information as they could on the subject, and he hoped they would speedily be able to introduce some improvement.

PRACTICE IN COMMITTEES.] The *Chancellor of the Exchequer* having moved the Order of the Day, that the House should resolve itself into a Committee of the whole House, to consider the report of the Committee on the forged Exchequer bills,

Mr. *Greene* said, before the Speaker left the Chair, he hoped the House would allow him to offer some explanation relative to the practice he had adopted in committees last Session, and that which he intended in future to follow. It had been generally understood that, after the question upon any motion had been put, it was not competent to the Chairman to repeat that question, and that no party could vote upon a question unless he had heard the question so put. He had acted upon that understanding upon two occasions during the last Session; but he found that the propriety of the course he had taken had been called into question. He wished, at present, to give notice that, unless he were otherwise directed, it was his intention, after he had put the question in the first instance, to put it again as soon as the gallery was cleared, and to allow Members who might then be present to take part in the division.

The House then resolved itself into committee.

FORGED EXCHEQUER BILLS.] The *Chancellor of the Exchequer* proceeded to say, that he rose in pursuance of the notice he had given at the close of the last Session of Parliament, that he should take the earliest opportunity of submitting to the House the views of the Government with respect to the mode in which it would be proper to deal with the holders of those Exchequer bills which had been so extensively forged and circulated among the public. When he had first an opportunity of addressing the House upon the subject, which was now nearly twelve months since, he had taken the liberty of expressing his belief of the necessity of great caution in giving any opinion upon that subject. He would not conceal from the House that he then felt great difficulty as to compensating the holders of those bills. But, at the same time, deeming that it was a case of considerable importance, both as regarded the public, and as regarded individual sufferers, he had then proposed a course in which the House had readily acquiesced—that of referring the whole matter to commissioners of ability, intelligence, and experience, with a view of having laid before the House, the facts by which their judgment might be guided. He confessed, that the objections which he had formerly stated to the propriety of compensating those individuals, had been greatly affected by the report which was now lying on the Table of the House, and to which, long as it might be, he trusted that hon. Members had thought it their duty to pay particular attention. He hoped it was not necessary for him to enter upon that occasion into the details of the manner in which the fraud had been concocted, or of the extent to which it had succeeded. That subject had already been amply discussed, and he believed every one was acquainted with the circumstances to which he adverted, and with the names of the individuals connected with them. He should, therefore, without entering into details, content himself with stating to the House the course which he thought it his duty to propose to the House as the result of a mature consideration of the report to which he alluded. He did not think it would be advisable to refer to a committee of the House the task of deciding on the course to be pursued, independently of other objections to such a course. The effect of such a reference could only be to interpose still further delay in the settlement of a question which it was desirable to have immediately adjusted. He had, therefore, thought it better at once to submit to the House the view which he was disposed to take of the question, and to leave it to the House to say whether that were a correct view under all the circumstances. It appeared from the report on the Table of the House, that the commissioners had divided the holders of the bills into four several classes. Perhaps, however, it would be desirable, before he stated the mode in which the division was made, to state what were the points which the commissioners were particularly to inquire into. They were directed to ascertain what they could find concerning the manner of issue, circulation, deposit, and possession of those documents, in what manner the holders of them had received the same, whether by purchase, and openly in the market or otherwise, and if so, at what rate of purchase, or whether by loan, and if so, at what rate of interest those loans were made, and whether such loans were renewed, and if so, how often, and for what time; and also whether the owners or holders of such documents received the same in the usual course of business; and whether they employed any, and what means of inquiry into the genuineness of such documents, and all other matters and things, whereby, in the opinion of the said commissioners, the truth might be better known touching the premises. Those were the questions into which the commissioners were directed to make inquiry. The commissioners had divided the holders of the bills into four several classes, the first comprising all, with the exception of particular cases, which on special grounds they excepted. This first class included the great bulk of the owners —more than the half of them, holding bills to the amount of 187,000*l.* With respect to the holders of this large proportion of the whole sum, the commissioners reported that they found the parties to have become respectively the holders of the bills with which they were connected in the usual course of business, without knowledge or suspicion that they were other than genuine, or improperly obtained by any person whatever, and under circumstances which would warrant no inference of their having acted with want of proper caution. Taking the statement and reasoning of the report, therefore, he thought that there was not a moral or legal obligation on the House to make compensation, but that, on making fair allowance for the circumstances of the case, the parties who had acted in the ordinary course of business, without any knowledge or suspicion of fraud, and under the circumstances pointed out by the commissioners, were entitled to the consideration of Parliament. In the second class there were, however, certain parties excepted, the amount of whose securities was limited to 49,000*l.*, and with respect to them, the commissioners suggested some doubt as to whether there was not a less degree of caution than persons might have been expected with due regard to propriety to exercise; but they said, if that question was left to their (the commissioners') judgment, they should decide that there was not sufficient ground for such an imputation upon any of them. In that conclusion, he (the Chancellor of the Exchequer) must declare that, on a consideration of the merits of the whole case, he himself felt bound to concur, and he should consider the second class fully warranted in their claim to the consideration of Parliament, on the footing he had already laid down with regard to the first class. In the third class, a still further exception was made by the commissioners, on the question of want of caution. That class was confined, as far as the consideration of the House was concerned, to two banking houses only, for it appeared with reference to one party, Mr. Levy, connected with the case of Messrs. Morgan, from whom he had derived the forged Exchequer bills, that he had received from them also other securities which covered the loss he would otherwise have sustained. Therefore he did not view this as a case in which the House could be called upon to compensate or give the same consideration as in the other classes. The third class related entirely to the cases of two bankers at the West end of the town, Ransom and Co., and Price and Co., the one holders of securities to the amount of 21,000*l.*, the other to the amount of 26,000*l.* The commissioners did not undertake to negative their claims in comparison with those of the others, but they stated, with the accuracy which pervaded the whole of their report, that there were some shades of difference in that case, to which they thought it right to call the attention of the House. The House would excuse him if he stated why he considered that those two Houses could not be properly excepted from the consideration which applied to the other cases. The House should bear in mind, what appeared clearly from the evidence, that there was a difference, in point of facility, of lending on Exchequer bills, between those bankers who lived at the west end of the town, and those who conducted business in the city. It was manifest from the evidence, that, in cases in which loans on Exchequer bills had been required from the city bankers on the security of clients of undoubted respectability, they had been refused; while it was equally certain that, in other cases, in which bankers in the other quarter of the town, the west end, were concerned, loans on Exchequer bills, under exactly similar circumstances to those in which they had been refused in the city, had been negotiated. Such was the difference in practice at the two extremities of the town. With respect to the cases of the Messrs. Ransom and Co., the House would permit him briefly to relate how it stood. The main criminal—he knew not if he should call him so—but at all events the party most implicated in that affair, was an individual of the name of Solari. It appeared that that person was introduced to the firm by an individual who had been their broker for twenty years, in whom they had every reason to place confidence, nor was there any circumstance in connection with him which gave ground for suspicion that he was other than an upright and honest dealer. The transactions which occurred between them arose in the ordinary course of business; the person opened an account with the banking-house, drew money from the bank in regular course, and did not commence the system of advances on Exchequer bills, until he had been a sufficiently long time engaged with them, during which he had conducted himself in a manner to inspire them with confidence in him. Nor were their transactions confined to Exchequer bills. At one time he had left a box of Napoleons in his bankers' hands, as security for three thousand pounds; money also had been left by him with them to a large amount, and there was everything to induce a belief on the part of the bankers that he was acting properly as a customer of the bank, and one in whom confidence might be placed. Those persons had also evinced prudence in their subsequent transactions. At the time of Solari's death his widow professed to take up the business which he had himself carried on, and employed as agent

Rapallo, the great actor in the fraud. What was the course then taken by the banking-house? They immediately required in re-payment of the balance, from one-third to one-half of the amount of the Exchequer bills, on which their property had been lent. Under these circumstances he thought no man could impute to that House such a degree of negligence and want of caution, as, in the view he had been disposed to take of the case they were now considering, could alone justify them in making an exception to the general rule. Next came the case of Price and Co., where he admitted there was more doubt, because there were not the same circumstances which were found in the other case. At the same time, considering that the evidence showed it was no uncommon thing for bankers to adopt this system in lending money, particularly at the west end of the town, he did not think that in this case there was sufficient ground for excepting them from the general rule, and affixing as it were, a stigma upon them, as having acted imporperly in the matter. There was nothing in the evidence to show that they had proceeded with that extreme degree of negligence which would justify the adoption of such a course. Therefore he should propose, as to those classes which he had enumerated, that the House should undertake to compensate the parties who were the sufferers. With respect to the fourth class, he thought the matter stood in a totally different point of view, and as he should propose to follow an entirely different course, he would state to the House the reason why he made that distinction. It must be obvious to the House, that if Rapallo and Solari had been left to their own individual exertions throughout the transaction, it would have been impossible that they alone could ever have carried on the fraud to the extent to which it was actually committed. It appeared from the evidence, that from their own resources, out of the enormous mass of bills in their hands, they only succeeded in inducing two bankers to advance them money on the bills they had, and their situation in life and position in society was such that, unless they had been assisted by the instrumentality of some persons well known on the Stock Exchange, through whom the details of their transactions might be managed, he believed it would have been altogether impossible for them to have given effect to the fraud they contemplated, and which they for so long a time carried on. He did not mean to express any opinion as to the guilt or innocence of those parties who were the instruments by whom their objects were effected. Every individual must form his own judgment on those points, according to the view he took of the evidence; but he was of opinion that there were circumstances indicating that extreme and gross want of caution, to put it in the very mildest terms, which must prevent the parties of whom he was now speaking according to the judgment he had formed, from sharing in the compensation that would be awarded to others. In the first place, he begged the House to remember what was the amount of the transactions in which the Messrs. Morgan, Mariner, and De Berckem were engaged with Solari and Rapallo, men who were little known, either to the public, or to individual stock-brokers, and scarcely in a situation in life to command any extent of confidence or credit. It appeared from the evidence that in the course of the time during which this business was going on, Rapallo and Solari placed in the hands of Mr. Morgan no less an amount of Exchequer-bills than 420,000*l*., and in those of Mr. Mariner no less than 465,000*l*. That was the joint amount placed in their hands by the two men Rapallo and Solari; and what took place in the last year, when Rapallo was the only party concerned? In that year this person placed in the hands of Mr. Morgan no less a sum than 161,000*l*. in Exchequer-bills, and in the hands of Messrs. Mariner and De Berckem a sum not inferior in amount. He said there was something in the very amount of the sum placed by this individual in the hands of his brokers which ought to have excited their suspicion, if it did not do so; and which, if it did excite suspicion, disqualified the parties from receiving compensation. In the case of Solari, it might be said that he was a leading-man, who dealt largely both in the foreign funds and on the English Stock Exchange, that he was agent for M. Thiers, of Paris, and for public bodies at Madrid, as well as for a club at the west-end of the town. But when Solari died, and his widow embarked in the business, what pretence was there for saying that she or her agent still represented the interests of all those millionaires, and that their dealings were conducted by an individual of whom nothing was known, except that he presented amounts of Exchequer bills greater than were deposited by any other person, and under circumstances calculated to excite suspicion? But the amount, alone, was not the only suspicious circumstance. It must be observed, that not one of these Exchequer bills, out of 900,000*l.* which passed through the hands of these two persons, was authorised to be sold for the benefit of the parties; and when by chance one bill was sold, efforts were made, and expenses incurred, for the purpose of recovering it, in order that none of these securities might be allowed to get into the market. Under these circumstances, it did appear to him that the cases comprehended in the 4th class were not those to which compensation ought to be awarded. On looking through the evidence many minor circumstances appeared which cast on every one of the cases still further suspicion, and confirmed to a certainty the opinion that they had used no caution whatever in the course they had pursued. Reviewing, then, the magnitude of the transactions, their peculiar nature, the circumstances which must from time to time have excited suspicion, and the other minor matters to which he had referred, he thought the committee would be of opinion that those parties were not entitled to compensation. The general result, therefore, would be, that of 377,000*l.* of forged Exchequer bills which were found to be in circulation, and which were the subjects of investigation by the commissioners, there would be an amount on the whole of 262,000*l.* for which the public might, he thought, justly be called upon to make compensation. He was aware that this was a very heavy amount to call upon the public to defray. He was quite sensible of this, and no man was more unwilling than he was to make a call on the public funds to so large an extent, but he also could not be insensible to the necessity of doing what, on a fair consideration of the case, seemed to be expedient. When the subject first came before the House, so strongly had he felt the importance of not readily acquiescing in the demands then made, that he expressed himself in the most cold and guarded terms, in order that he might not excite undue expectations. It was the result of a calm and careful consideration of the evidence which had been laid before Parliament that he was induced to recommend to the House a measure that he regarded as necessary, while it was burthensome to the public. It was to be looked upon as being, not so much a question of justice, as one of policy. The parties, he fully admitted, had no legal right whatever beyond that which the holders of any other forged instrument possessed. They had no power of enforcing against the Crown the compensation which he thought it right to call upon Parliament to grant; but, while he stated as broadly as possible the absence of legal right, and of a power of enforcement, he must, at the same time, beg the House to consider that there were some peculiar circumstances which distinguished the present from cases of ordinary occurrence. It must never be forgotten, without imputing blame to any of the parties, for that intention was the furthest possible from the views he entertained in the case, that this forgery was committed in the very Government office itself—that the individual who forged them was an officer high in the particular department to which he belonged; that he was in possession of the engraving of which genuine Exchequer bills bore the impress, and of the seal, which he had the power of affixing to the documents; that he was the individual who placed the written numbers on the Exchequer bills which were issued from the office, and that the only part which was absolutely forged was the signature of the Comptroller-General, and that a signature which, by the law as it then stood, was not required to be made by the Comptroller-general himself, but was allowed under the act then in force to be affixed by his deputy. These bills, therefore, came before the public in every respect in such a state of complete similarity to genuine bills, that whatever mark was looked at—the paper, the seal, the number, or anything but the signature—it was impossible to distinguish a real from a forged Exchequer-bill. It was almost impossible that any one of these instruments should have awakened, as far as their external appearance was concerned, the suspicion of those to whom they were offered. Another circumstance, also, was to be stated in vindication of the innocent parties. The only mode by which they could, in case of suspicion, have detected the fraud, would have been by applying for a verification of the bills in the office; but the verifier himself being the forger, that remedy was taken from the party. It was under these circumstances, therefore, that he considered these forgeries to stand on a footing different from others, and as being rather to be looked at in the light of bills ready made, which had been obtained from the office, than bills really forged, and issued as forged documents. He spoke in the presence of learned Gentlemen who could set him right if he were wrong; but he believed he was correct in saying, that if the bills had been obtained from the office and sold—if they had come into the possession of individuals who held them without any imputation of negligence against the holders, or even with a strong imputation of negligence, so long as there was not *mala fides* implied, there would be no power of recovering the value of them from the holders. In this case he had thought it but fair to pay to the holders, under the circumstances he had stated, the consideration he had proposed. He had not gone into particular cases—if there were peculiar circumstances attaching to such cases, they could be examined and discussed at a future opportunity. He had contented himself with submitting to the House what he believed to be a fair solution of a very difficult question. It would be for them to decide how far their feelings, after a consideration of the evidence, might coincide with his own. He could only say for himself, that he could not tax himself with any want of diligent attention to the facts, or with any desire not to keep the public burthen less; but he had been overborne by the considerations he had stated, and he felt himself bound to propose the compensation of the innocent holders to the extent he had mentioned. The right hon. Gentleman concluded by moving—

"That her Majesty be enabled to direct Exchequer Bills to an amount not exceeding 262,000*l.*, to be issued, under certain regulations, for the relief of the holders of certain forged Exchequer-bills."

Mr. *Williams* admitted the fairness of the right hon. Gentleman's statement; but he must declare that he was not at all satisfied with the evidence adduced before the commission, which he did not think of a sufficiently searching character to enable the House to proceed to grant an immense sum of the public money. Nothing had been said by the right hon. Gentleman as to recovering any property of parties to the fraud that might be accessible.

The *Chancellor of the Exchequer* begged pardon for interrupting the hon. Gentleman. He proposed by the bill to give power to the Crown to take measures for pursuing any property that might be available, in order to its recovery. He did not mean that it should be supposed that there would be any considerable amount available at the present moment, but he thought it quite right and proper, in asking a grant of this sort from the House, that the public should be in a capacity to assert its claim to any property which belonged to those who were the originators of the fraud, to which access could be procured.

House resumed.

Mr. *Williams* said this explanation certainly rendered the transaction better in point of principle, but he feared it would not work much benefit for the public in point of practice. What expectations could be had as to realizing anything from property which had been allowed to remain a year and a half in the parties' hands? He was of opinion that the inquiries of the commissioners on this, as on other points, had been most defective. When Rapallo was asked what benefit Beaumont Smith derived from the bills, the reply was that he received whatever he required. Yet that answer was not followed up by an inquiry, what was the probable amount of that which he received? And when the same statement had been made by Rapallo as to Mrs. Solari, there had been a similarly unaccountable neglect of any further inquiry by the commissioners as to any means of ascertaining the probable amount of money received by her. Yet, had these things been ascertained, the result would have been most important. Mr. Bush, the solicitor engaged in the affair, had visited Rapallo in Newgate, and had stated that he had received most important disclosures, of which he had made a memorandum, which he was ready to show the commissioners; yet he had never been asked for them. Rapallo had not even been asked whether he knew by whom the forgeries had been committed, or what had become of the 40,000*l.* he received just before the discovery of the fraud. Certainly, he said that at that time the money had been applied in getting the forged bills as far as possible out of the hands of their possessors. It would have been most important had this been traced.

Yet the commissioners asked no questions thereupon, nor upon various other equally important points, as, who had advised Rapallo to endeavour to get the box from the bankers? As the hon. and learned Member for Worcester was paying great attention to the discussion, he would appeal to him whether it was not a very improper leading question which the commissioners put to Rapallo.

> "You have stated, as to the property received through Mr. Morgan, that it was lost by you in speculation; does that statement equally apply to the property received through other parties?"

Of course the reply was affirmative. Surely these things reflected no great credit upon the acuteness of the commissioners. Now, further, he had been given to understand that the Chancellor of the Exchequer had received information that Mrs. Solari had considerable amounts of property in the names of other parties; surely this statement ought to have been inquired into; and, with facts so imperfectly ascertained and so negligently inquired into, 260,000*l.* were about to be paid away out of the public purse. The Chancellor of the Exchequer should recollect that (although certainly the condition of the suffering holders deserved great consideration) he would be laying down a precedent which he might depend upon it he would be called upon to repeat: for it was clear that Smith had not been acquainted with the means of avoiding the possibility of detection. The mere counterfoiling (which consisted in cutting off the bill from the margin, and judging by the subsequent correspondence of the edges) afforded no satisfactory test; yet it seemed to have been the only one employed, easy as it was to be evaded. How did an Exchequer-bill differ from a bill of exchange or a check as to the means of ascertaining its genuineness? Both bills and checks were, it was well known, commonly filled up from printed forms; and the signature was of course in each case looked to to test their authenticity. Why had this not been equally regarded in this case? The Chancellor of the Exchequer had admitted great negligence as to the fourth class of claimants; but he alleged that there had been culpable negligence in many other cases; for it appeared, from the evidence of one of the parties, the gentleman who had first discovered the fraud, that his suspicions had been exeited by circumstances equally open to the observations of others; and his remark was striking:—

> "The like could never have been in the possession of such a party as the young man who offered them (respectable though he was), except through something wrong."

Had others been equally cautious there could not have been so much mischief; and it was observable that, though bills were offered to bankers, they never were accepted by them. Monied menwere accustomed to exercise great suspicion on such matters; it was their only protection, and he could not conceive how the parties in this case could have been justified in the singular neglect they had shewn. So with respect to the conduct of the Government officials in the Comptroller's department. The only ground of justification the Chancellor of the Exchequer could urge for his proposition was the unpardonable negligence of the officials. One circumstance showed this very strikingly—that some of the forged bills sent from the Bank to be examined had been passed at the Exchequer as genuine. What had Lord Monteagle and his Assistant-comptroller stated? That the forgeries were many of them not even clumsy imitations of his Lordship's signature. What an idea it gave of the manner of carrying on business at the Exchequer-office, to find that such clumsy forgeries had been so carelessly passed! Sir J. Newport, when he was at the office, had taken some securities for the public. He had made it a rule never to sign the same issue of bills at the same time as his Assistant-comptroller, whereas Lord Monteagle, it appeared, had been in the habit of signing the issues indiscriminately with his assistant; and it seemed, further, that bills had been signed in other places than the office, or even the private residence of the Comptroller; eyt the commissioners had not asked where these other places had been. It certainly seemed grossly irregular that such a mode of transacting public business should have been followed, and with a most careless system of registering merely from memory. Was that a system of which the public could approve? He was sure the right hon. Gentleman could not and would not defend it. Then, where was the security of the public? It appeared that an Act of Parliament was passed, the 38th Geo. 3d., directing that certain proceedings should take place with regard to the examination of cancelled Exchequer-bills and the counterfoils, as the only security for preventing frauds. Sir John Newport made out certain orders in accordance with the act, and the practice in his office was continued for some time; but on the Paymaster of Exchequer-bills receiving an order from the Lords of the Treasury describing the course they were to observe as to the comparison of Exchequer-bills with the counterfoils, after being cancelled, that Act of Parliament was unnoticed, and the paymasters considered themselves bound by the order from the Treasury. The consequence was, that no comparison took place for many years, and the astonishment to him was, that when there was so much inducement in every way to commit these frauds, they were not committed much sooner and to a much greater extent. What was the statement in the report with regard to Beaumont Smith? It said that,

> "Although the Act of Parliment directed that the bills should be compared with their counterfoils, as the only means to discover fraud, yet that the instructions from the Treasury to the Paymasters, by which they considered themselves bound to act, did not point out or allude to the necessity of conforming to the directions of the act. The practice of comparing the bills with the counterfoils had therefore been discontinued for many years: there was no check on the senior clerk (Beaumont Smith), the forger of these bills; he had the sole direction of the quantity to be made and printed, the custody of the moulds, the plates and paper (printed and unprinted), of the press, seals, and counterfoils, as well as the entire preparation of the bills. Everything was in his hands without any check or control."

He should have been very glad if the right hon. Gentleman had informed the House what was the course now pursued in that office, and what check he had introduced against the recurrence of these frauds. He was quite sure the right hon. Gentleman would find it impossible to make any check effectual if he came forward, as upon this occasion, and paid the money for the forged Exchequer-bills. He would assure the right hon. Gentleman that he could take no other course for the security of the public than to fund these Exchequer-bills; to place the unfunded debt amongst the permanent debt of the country. There was no gain by that unfunded debt, and although the advantage of Exchequer-bills to the public was immense, over-stock in Consols or any of the public funds, because the holders of them were always secure of the principal, whereas in stock the proprietors were liable to a loss from the depreciation of the market; yet, notwithstanding that, the Chancellor of the Exchequer was paying upwards of 3 per cent. on Exchequer-bills, whereas, at the market price of interest he might get his own acceptances discounted for any amount he might put his name to at 2 per cent. He should like to know why it was that the public were paying one-third more for interest than an individual of good credit upon Exchequer-bills at the present moment. It was within a mere shade—a mere fraction of the interest paid upon 3 per cent. Consols, and he found that whenever the price of money in the market advanced, Chancellors of the Exchequer were always ready to give an advance of interest upon Exchequer-bills; but when money became cheap he saw no such hurry in reducing that interest. At that moment the premium on Exchequer-bills was more than one year's interest upon them. He did hope, then, that the Chancellor of the Exchequer would take this step; that he would take these Exchequer-bills out of the market, and if by economy he could not pay off some of them, his best course was to fund them, for otherwise he would be called upon again to pay forgeries infinitely more complete and more deceptive than those now in question. He was, however, quite willing to admit that the holders of these bills, under the circumstances in which they were placed, were deserving of great consideration, although there were circumstances of very great negligence on their part in not making sufficient inquiry and observation of the facts attending the reception of them.

Colonel *Sibthorp* should not have trespassed on the time of the House had he not in a former Session of Parliament taken some part in the discussions upon this subject. He had never, as he stated at that time, held any Exchequer-bills, he never issued any, and he should take very good care hereafter how he bought any. Though he had not done that, and therefore there was no selfish motive on his part, yet he had heard with considerable satisfaction what had fallen from his right hon. Friend the Chancellor of the Exchequer. He thought that when they looked at the whole transaction, and investigated the report then in the hands of hon. Members, no other step could have been adopted with common justice to the public, and after reading the evidence he would go so far as to say, that it was not only the policy of the Government, but it was in his humble opinion the legal right of the parties holding these bills, that they should be paid. He agreed, too, with his right hon. Friend in the distinction he had made of the three classes of bills. But it was to be regretted—he did not blame the present Government only, he included in it the late Government—that our finances were in such a lamentable situation as to render necessary so large an issue of Exchequer-bills. There was another point to which he thought it his duty to call the attention of the House, and that was, that in his opinion the noble Lord who held at the time, and still held, the situation of Comptroller-general of the Exchequer, in common justice to the country, and from the consideration that was due to the people's pockets, should make good a part of this deficiency; and that, although the noble Lord held his office by letters patent, an humble address should be presented to her Majesty asking for the removal of that noble Lord from his office. It was a responsible office, in which no man ought to be placed without he attended to the duties of it, and yet in the evidence it was stated that the noble Lord signed bills, not only at his office, but at his private residence—sometimes in the morning, sometimes at night: he wished that the noble Lord's hand had been as steady when he signed bills in the evening as when he signed bills in the morning; but, occasionally too, he signed bills in the House of Lords, and sent them to his own private residence in a common box by a common messenger. Think of documents of such vast importance to the property of the public being placed in such a position! So responsible an officer as the Comptroller-general of the Exchequer ought, as was the case in military service, to be made responsible for any neglect of duty, and therefore it was incumbent on the Government to recommend to her Majesty that the noble Lord should be removed from his office.

Mr. *Hume* wished to ask a question of the Chancellor of the Exchequer, because he had stated that he had acted upon the report which had been laid before the House. His hon. Friend the Member for Coventry had said, that some parts of the evidence had excited much surprise in the public mind. Why did not the commissioners follow up certain questions which would have undoubtedly brought forward great disclosures? He wished to ask the Chancellor of the Exchequer, as the organ of the Government in that House, whether they had any other information beyond that which was embodied in that report, and which ought to be laid before the House. They employed Mr. Bush and other legal officers to obtain information from Rapallo; they examined Beaumont Smith, and obtained important information from him. It was stated in the declarations of Smith in open court, as reported at the time, that he was not the party who had benefited, but that there were other and higher persons who had profitted by the fraud. He wished to know whether the Government was willing to lay all the information which had been acquired by their law officers from the several parties, previous to the commission of inquiry on the Table of the House. The public had been surprised at the manner in which the business had been conducted, and great suspicion existed on this subject. Rapallo was allowed to go away without any further inquiry whatever, as far as the public were acquainted. He must say, that great negligence appeared to have existed in that department; but if he had been asked the question, whether it were possible that forgery could be carried on in a public department, and in so wholesale a manner for five or six years, he should have at once declared that it was utterly impossible. He had always thought that those departments were so regulated that some check or other would have been sufficient to prevent any such forgery. But as it had occurred, the House ought to have the fullest information respecting the fraud. With regard to the claims before the House, he could not agree to the distinction drawn by the Chancellor of the Exchequer. The forged Exchequer bill was a document composed, if he might say so, entirely of materials which, being issued by the proper Exchequer officers in due form, every-body, looked to as genuine—he found the paper belonging to the Government prepared in a public office; it was printed in a particular form that had continued for ages; it was issued by a public officer, ostensibly the proper person to do that duty;

a seal was attached to it; every formality was given, and importance attached to it as a national document; and, he found that the signature might be attached to it by anybody. If that were the case, of what value was the signature, as defining the value of that document? The seal in reality gave the validity to the document, and to that purchaser had always looked? He therefore could not understand why a distinction as to the compensation should be drawn because a little more or a little less caution had been observed by the parties who had purchased them. He thought, therefore, that there must be something behind, something secret, which they did not find in the report which had led to that decision. Before, then, the Chancellor of the Exchequer, or any other individual, should be allowed to draw a line, and say that this and not that document should be paid, the Government ought to supply all the information they possessed on the subject. He was distinctly of opinion, that every person who had *bonâ fide* paid for the bills, ought to be compensated, as the fault had been originally in the Exchequer office, over which the purchasers had no control. It was rather discreditable to the commissioners not to have followed up certain questions which must have brought forward great disclosures, which we ought to know before we paid the bills; and the reason of his (Mr. Hume) putting the question to the Chancellor of the Exchequer he had stated was, to satisfy the public whether there was or not any individual higher than Beaumont Smith who had connived at this fraud. His opinion of the honesty of public men in this country was too high to allow him to suppose that they could be led away from their public duty by money, or any such cause; but to satisfy the public, he would therefore again ask the Chancellor of the Exchequer whether he had any further information on this subject which he could lay before the House?

Mr. *Roebuck* wished to ask the Chancellor of the Exchequer a question respecting the Comptroller of the Exchequer. It appeared that the Comptroller was appointed by the 4th and 5th of William 4th, and was appointed by letters patent, and there were these words in the Act of Parliament respecting his attendance at the office,—

"And the letters patent shall continue in orce during good behaviour, subject to his removal therefrom by his Majesty, his heirs and successors, upon an address of the two Houses of Parliament, and subject to the abolition of the office by the authority of Parliament."

And then came the words to which he wished to draw the attention of the House:

"And the duties, powers, and authority, by this Act imposed on or vested in the Comptroller, shall and may, in the event of illness, or of occasional and necessary absence of the said Comptroller from the office, be executed by such assistant."

Now the question he wished to ask of the Chancellor of the Exchequer was this, it had gone out, he had heard from abroad, he could not say whether correctly or not, that the Comptroller in this case was absent very nearly six months, and he wished to know whether or not a large portion of these forgeries took place during the absence of the Comptroller, and whether it were or not an occasional absence, and which could not be included in the words "occasional and necessary absence?" Because he knew that the word "and" was very carefully inserted in another place. It originally stood "or," but the word "and" was put in its place to make it imperative on the Comptroller to be constantly in attendance; that he should not be absent except on account of illness or that occasional relaxation which was necessary for public men. He did not know whether the information he had received from abroad was correct or not, but he wished to ask whether the absence of the Comptroller were not an absence of many months, and whether it were not during that period that a large portion of the forgeries took place?

The Chancellor of the Exchequer: The hon. and learned Gentleman has asked me a question which is a combination of a question of fact with a question of law. As I understand the question of the hon. and learned Gentleman, it is whether the law does not require that—[Mr. *Roebuck*: I ask not for the law, but for the fact.] The question is, whether the bills issued and found to be forged were signed during the absence of the Comptroller from London or during his presence.

Mr. *Roebuck*: I must have made myself very badly understood by the right hon. Gentleman. The question I put to him was this,—whether or not the forgeries which took place did not take place during the absence of the Comptroller, which absence extended to some months?

The *Chancellor of the Exchequer* : That question it is impossible for me to answer. When the forgeries took place I cannot possibly tell. When Beaumont Smith thought fit to attach the signature to those documents is perfectly unknown to me. I presume that it was generally done about the time of issuing Exchequer-bills, but as to that I have no evidence whatever.

Mr. *Williams :* The fact is stated in the evidence that they were exchanged at the usual period of exchanging Exchequer-bills.

The *Chancellor of the Exchequer :* That is admitted : but the time when the forgery was committed is quite another thing. The right hon. Gentleman then proceeded to say, that the hon. Member for Montrose seemed to think that there was some great mystery on the part of the Government with regard to this subject—that they were anxious for concealment. He could only say that no such wish for concealment existed, and with regard to the admission of Rapallo as evidence, that was done on the advice of those who conducted the case.

Mr. *Roebuck* asked, if the right hon. Gentleman was aware whether or not the Comptroller of the Exchequer had been absent at any time for some months together?

The *Chancellor of the Exchequer* said, he really was unable to answer the hon. and learned Member as to that point. During the time the Comptroller had held his office he had had that reasonable leave of absence which every man in a public office did take during the summer months, but as to the practice existing before the appointment of the present Comptroller, he could not at all speak. At the same time he expressed no opinion at all as to whether the inference of the hon. and learned Gentlemen were correct or not.

Mr. *James* desired to know whether the Government had taken proper precautions for the prevention of the recurrence of such a calamity to the public? Surely, something ought to be done, and, for his own part, he agreed with the hon. Member for Coventry, that the best means of putting an end to the evil would be to fund the Exchequer-bills altogether.

The *Chancellor of the Exchequer* would offer a few remarks in the way of reply to thevarious points that had been raised by different Members in the course of the discussion. He thought that the hon. Member for Coventry (Mr. Williams) had gone into matters which had no direct reference to the question before the House. The hon. Member for Coventry thought it would be better that the issuing of Exchequer bills should be altogether abolished. He (the Chancellor of the Exchequer) thought that that was a question that had better be discussed separately upon its own merits, than incidentally in the course of a debate such as the present. The hon. Member would, therefore, forgive him, (the Chancellor of the Exchequer) if he forbore from entering upon it on that occasion. The hon. Member for Coventry also asked in common with the hon. Member for Cumberland (Mr. James), what precaution the Government had taken to prevent the recurrence of similar misfortunes in this department for the future? Both of these hon. Members were in the House in the last Session of Parliament; and he should have thought that they would not so soon have forgotten, that, immediately upon the report of the commissioners being laid upon the table, a bill was introduced into Parliament, making new regulations to govern the issue of Exchequer bills. In that act (the 5th and 6th Victoria, cap. 66) the hon. Member would find all the precautions laid down. The hon. Member for Coventry inquired whether the Government were aware of any property belonging to Mrs. Solari in connexion with these frauds. His answer was, that they were not; but with regard to Rapallo, information was conveyed to the Government that he had property invested in the names of other parties, upon which they caused due inquiry to be made. The result of those inquires was, that the information so given was not confirmed. If the hon. Member for Coventry was not satisfied with the report that the commissioners had made, he (the Chancellor of the Exchequer) could not hope that anything that he could offer would content him. Upon the present occasion he the (Chancellor of the Exchequer) did not feel that it was necessary for him to go again into the discussion of the conduct of the Comptroller-general, or of the other officers of the Exchequer, upon which full discussion took place in the last Session of Parliament. He (the Chancellor of the Exchequer) had then stated his feelings and opinions upon the subject. Those opinions and feelings he did not now deem it necessary to repeat. He did not attempt to conceal that, from the habitual confidence reposed in the individual who committed the fraud—from the long prevalence of the opinion that no forgery could be made in Exchequer bills—there had been for many years a laxity in the conduct of the business in that department which it was most desirable to correct. For that purpose a bill, founded upon the report of the commissioners, was last year introduced, to correct the errors which seemed to prevail. The regulations imposed by that bill were strictly enforced, and would continue to be strictly enforced; and, under these regulations, it was impossible that a fraud of a similar character could ever again take place.

Sir *James Duke* was anxious to make a single observation, and in making it he begged to be understood as throwing no imputation upon the class of gentlemen to whom the observation would apply. But he thought that the practice of official gentlemen associating themselves with mercantile speculations, which frequently exposed them to great loss, was much to be deprecated. Taking into account the general habits and education of these gentlemen, he was sure that the Government would only be doing them a kindness by laying down some rule to prevent such a practice. He was aware that Government could not prevent individuals from embarking their money in any speculation that they thought proper; but he thought that steps might be taken to prevent them from becoming directors, and openly associating themselves in a public capacity with joint-stock speculations, which commonly led to great loss and great embarrassment. He was induced to make this observation, and to throw out this suggestion to the Government, from the circumstance of Mr. Smith, the party in this instance convicted of the fraud, having stated to him in Newgate, that his association with speculations of that nature was the first step towards his defalcation and appropriation of the public money.

Mr. *F. T. Baring* would not detain the House by offering more than two or three words upon the course which the right hon. Gentleman proposed to pursue. Turning for a moment to the question which had been put by the hon. and learned Gentleman below him (Mr. Roebuck), he would beg to refer that hon. and learned Gentleman to some papers which would very probably answer his inquiry. In the course of last year certain papers were moved for, at the suggestion of Lord Monteagle himself, and which would show that upon the occasion of all the great exchanges which took place in the months of March and June, 1841, Lord Monteagle was, in every instance, present in his office. As the right hon. Gentleman (the Chancellor of the Exchequer) had justly observed, it was impossible to say when the forgery took place; but, upon all the occasions when the bills were exchanged, Lord Monteagle was present. This appeared from the return before the House; and as the point had been questioned, he thought it necessary, in justice and fairness to his noble Friend, thus to remind the House of the fact. The simple question now before the House was, whether or not compensation should be granted to any of the parties who had suffered from the forgery of Exchequer Bills. The right hon. Gentleman (the Chancellor of the Exchequer) commenced with something of an apology for not having again referred the case to a committee of that House. So far from thinking that any apology was necessary for the course which the right hon. Gentleman had adopted, of coming forward at once with a proposition emanating from the Government itself, and founded upon the evidence which had already been laid before the House and the country, he thought that the step taken by the right hon. Gentleman was, by far the fairest and the best. The House of Commons, valuable as it was as the representative of the general interests of the empire, was not a proper body to discuss the claims of private individuals. Upon the whole question, looking into all the circumstances connected with it (however much he might feel the weight of certain arguments which had been introduced), he did not see how it would have been possible for any government to oppose the claim of the parties who had suffered from these frauds. He was bound to state as the right hon. Gentleman had stated, that the report of the commission had materially altered his opinion upon the subject; and that he did not think it would have been possible to have allowed all the parties to have suffered under the loss which they had sustained. He agreed with the right hon. Gentleman as to the justice of satisfying some of the claims; and upon the whole he concurred in the line which the right hon. Gentleman had drawn as to those to whom compensation should be given and those to whom compenation should be refused.

Colonel *Sibthorp* maintained, in spite of what had just fallen from the right hon. Gentleman opposite (Mr. F. Baring), that it was manifest, upon the face of the report laid before Parliament, that one-third of the gross amount of the Exchequer Bills issued at the time that the frauds were in the course of execution, were signed by Lord Monteagle during non-attendance at his office.

Mr. *F. Baring* had addressed his observation to the questions of the hon. and learned Gentleman (Mr. Roebuck), as to whether Lord Monteagle was in attendance or not—not the question of whether he was actually in his office or not.

Mr. *Turner* expressed his approbation of the course which the right hon. Gentleman (the Chancellor of the Exchequer) proposed to take.

Mr. *Escott* did not dispute the propriety and the justice of compensating the innocent holders of Exchequer Bills, who had been exposed to loss by the culpability of others. But there was one point upon which this question was still placed before the House and the country in a very unsatisfactory light; and that unsatisfactory point was this—that the whole transaction was involved in mist and obscurity, so that no one knew whether to trust or to condemn a great public officer of the Crown. The House, in fact, was about to vote this large sum of money, without knowing who the really guilty parties were. It was right, however, that the innocent holders should be compensated, and he should, therefore, support the motion of the Chancellor of the Exchequer.

Sir *Thomas Wilde* did not know very distinctly to whom the observation of the hon. Gentleman, who had just spoken, applied; but he did know that there was nothing whatever in the case to which such an observation could be justly applicable. Where charges were made or implied against a public officer, he thought that it would be more just (although in this instance he was sure the hon. Gentleman did not intend anything unjust) to make those charges the subject of a separate and specific motion, rather than to introduce them incidentally upon an occasion like the present, when it was impossible that they could be properly discussed or rightly determined upon. The question of, whether the noble Lord, the Comptroller of the Exchequer, was present or not at his office, at particular periods, however important as a separate question, had nothing to do with the question now under the consideration of the House. The course that had been taken upon the bills in question (as had appeared from all the reports) seemed to have been this — that Smith possessed himself of certain spare sheets—surplus sheets of paper, provided for the purpose of Exchequer bills—that he kept those spare sheets by him, that as he was pressed and importuned by Rapallo and Solari, he filled them up, and that from time to time, as their necessities required, he put the office seal to them, and so completed the genuineness of their appearance. It further appeared that the larger portion of the bills were issued just antecedent to the exchange of bills at the Exchequer-office, and that the object for which they were issued was to enable Rapallo and Solari to redeem the bills which they had previously issued, and so prevent the presentment of the forged bills at the Exchequer. The time, therefore, at which the forgeries were committed could not be specified; they were obviously committed at various periods, according to the necessities of the parties, to enable them to meet the payments which their speculations entailed upon them. It had been said that Smith had asserted that some high persons had participated in the benefits accruing from the fraud. The hon. Gentleman who had alluded to that rumour would find it very difficult to find such a statement made any where upon any thing like authority. He did not think that it existed any where. He retained a pretty accurate recollection of all that had occurred at the trial, and any such statement was entirely absent from his memory. In fact, he was convinced that no such statement had ever been made, or ever intended to be made. The parties implicated were Solari, Rapallo, and Smith. No imputation had been cast upon any one else. Whether those persons who were placed in the fourth class were auxiliary to the delinquents, or had assisted in the frauds, he could not venture to give an opinion. But with respect to any other persons, high or low, being implicated, there was nothing in the report to connect them with any part of the transaction. It was said that the precedent that the House was now setting was very important. He agreed that it was so; but it was one that he thought it most honourable to the House to make. It was this:—that if through the want of prudent and effectual regulations in any public department a security, apparently genuine in all its parts, and the genuineness or ungenuineness of which the public had no means whatever of testing, were put into circulation and received as a *boná fide* security for its full value, the public represented by the department by whose inefficiency or want of prudence an opportunity had been afforded for the perpetration of a fraud, would answer for the inefficiency of the regulations of the department, or for the misconduct of their officer, and make good the loss where, upon the faith of what to all appearance was a genuine public security, men had been induced to part with their money. It was alike essential to rich and poor—to every class of the community—that there should be the greatest facility in the circulation, and the greatest reliance upon the good faith and value of public securities. Every part of the country must equally benefit by that. The evidence upon the present occasion was distinct and clear upon this point—that there was no mode of examination, no process of investigation by which the parties who took the fraudulent bills could have been aware that they were not genuine. This was emphatically stated by the commissioners in their report. The public, it would be remembered, had been referred to certain tests by which to decide upon the authenticity of the Exchequer bills. It was said that they were drawn upon a particular kind of paper, having a particular water-mark manufactured for this express purpose. That there was a particular form of plate prepared for the express purpose of impressing them, and that the seal of office, which he maintained constituted the acceptance by the Government of an Exchequer bill, was attached to them. These were the tests to which the public had been referred, and no other could be suggested; because as the Deputy-Comptroller had the power of signing, not his own name, but that of his principal, and as the deputy might be exchanged from time to time, and no public intimation be given of the change, it was impossible that the public could form any notion of the genuineness or want of genuineness of the document from the hand-writing of the signature. Indeed, the evidence was distinct from the beginning to the end of the investigation, that men in the habit of dealing in these securities never looked to the signature, but only to the general character of the document, and most especially to the seal of office, upon which they had invariably been in the habit of relying. The bills upon which the frauds had been committed were genuine as related to every one of those tests upon which the public relied. They were drawn upon the Government paper, were impressed with the Government plate, and bore the Exchequer seal. If then a public security had gone forth having every test of genuineness, upon what principle of honesty or common sense could it be said that individuals who had parted with their money upon the faith of their genuineness should be compelled to sustain the loss when it was ascertained that they were spurious? As regarded the parties to whom compensation was to be given the Chancellor of the Exchequer had, as he (Sir T. Wilde) apprehended, drawn the true line. The right hon. Gentleman granted indemnity to the *boná fide* holders, and withheld it from those who had not yet proved that their holding was *boná fide*. The only just rule was this—that these bills, as regarded the public, ought to be treated as genuine bills, but stolen. The public had been robbed of them. What, then, ought to be the title of those who hold them to recover? Why, that they had received negotiable bills, *boná fide* for their full value, without notice. That would give a clear right to recover. This was the line that the Chancellor of the Exchequer had taken, and he would venture to say, notwithstanding the division of the first three classes, that there was not, from the beginning to the end of those three classes, one single instance in which, if submitted to the decision of any jury of merchants or tradesmen, the holder would not be pronounced a *boná fide* holder without notice. But if it were right to treat these bills as genuine, and that all those who proved themselves to be *boná fide* holders should be paid—if that were the rule upon which the Government acted, then he must say, that some justice was due to the fourth class.

Ought they to be excluded as persons who were not *bonâ fide* holders without some means of legal investigation to ascertain whether they were *bonâ fide* holders or not? The commissioners had made an extended inquiry, and the conclusion to which they had come, after exercising their best judgment, was one with which he (Sir T. Wilde) found no fault. They had so dealt with the case as to leave the Chancellor of the Exchequer no alternative than that which he had taken; but it did not follow that those persons who had been excepted were to be for ever excluded. The commissioners had not afforded the parties an opportunity of being heard; the parties had not even had the opportunity of hearing what had been said against them, and which had induced the commissioners to come to the conclusion at which they had arrived. This did not appear to be just. Upon the present occasion he apprehended nothing could be done for them; but he did say that these men, and, indeed, that every man who had received any of these Exchequer Bills ought to be allowed to show that he was a *bonâ fide* holder. Seeing the extent of the claim they had, and which might involve their ruin, and seeing that that ruin would be the consequence of their taking Exchequer Bills, which carried the public credit with it, they certainly ought to have an opportunity of going before a jury of merchants to say whether they were *bonâ fide* holders or not. If they were *bonâ fide* holders, they had a most righteous claim upon the credit, integrity, and honour of the country, to be paid; if they were not *bonâ fide* holders, every body would feel that it was but just that they should suffer,

Mr. *Hume* asked whether it were the intention of the Government to allow interest to those parties whose claims were to be admitted?—eighteen months interest would be due to them.

The *Chancellor of the Exchequer* said that it was the intention of the Government to issue 262,000*l.* as a compensation to the holders of Exchequer Bills which had been forged, and to allow interest from the period at which they were signed.

Resolution agreed to.—House resumed.

Medical Charities (Ireland).] Mr. *French* moved the second reading of the Medical Charities (Ireland) Bill.

Lord *Eliot* wished to take this opportunity of correcting a misconception which prevailed in Ireland, as to what he had said with respect to medical charities, in connection with the Poor-law in that country. He stated that he had requested the Poor-law commissioners to prepare a bill to regulate medical charities in Ireland. The bill was laid on the table last Session of Parliament. He certainly did, on a subsequent occasion, say that no suggestions had been made to him for the improvement or alteration of that bill. Now, he was always anxious that any information he gave to the House should be accurate, and he therefore willingly admitted that he ought to have said that only a few suggestions, and not that not any, had been made to him. Instead of receiving suggestions favourable to the measure, the suggestions he had received were generally of a hostile character to the principle of it.

Bill read a second time.

Distress of the Country.] Viscount *Howick* moved that so much of the Speech of her Majesty at the opening of the present Session of Parliament as referred to the depression of the manufacturing industry of the country, should be read by the clerk at the Table. The following paragraphs were then read.

> "My Lords and Gentlemen:—Her Majesty regrets the diminished receipt from some of the ordinary sources of revenue.
>
> "Her Majesty fears that it must be in part attributed to the reduced consumption of many articles, caused by that depression of the manufacturing industry of the country which has so long prevailed, and which her Majesty has so long and deeply lamented."

Viscount *Howick* again rose and said,* Mr. Speaker, I rise for the purpose of moving that the House do now resolve into a committee of the whole House to take into consideration that part of her Majesty's Speech which has just been read. My object in making this motion is, to call upon the House to pronounce a decision upon the question, whether the distress under which the country now unhappily labours is not of such a character as to impose upon Parliament the duty of some immediate interference upon the subject. I apprehend that I am taking the most regular and the most Parliamentary manner of bringing this question before you, and that the House, by consenting to go into committee upon the paragraph of her Majesty's Speech which adverts to the "depression of the manufacturing industry of the country," will, in fact, pronounce its opinion that we ought to take the state of things, thus brought to our notice, into our immediate consideration, with a view of adopting some practical measures of relief. This, I believe, will be the effect of the decision at which we shall arrive, if we determine upon going into committee. Before, however, I state the grounds upon which I ask the House to come to this conclusion, I beg to assure you that I do not bring forward this motion in any spirit of hostility to her Majesty's Government. On the contrary, I deeply regret that they have not themselves come forward and recommended to the House a perseverance in that policy, the principles of which were so ably expounded and maintained by the right hon. Baronet (Sir Robert Peel) and the Vice-president of the Board of Trade (Mr. Gladstone), and partially carried into effect by them in their measures of last Session. It would have been with far greater satisfaction that I should have supported with my vote further measures founded upon this policy and brought forward by her Majesty's Ministers, than I now attempt (I know how inadequately) myself to recommend that policy to the House. But, unhappily, her Majesty's Government have not thought proper to take that course which I earnestly wish they had. We have learned, as well by the express declaration of the right hon. Baronet (Sir Robert Peel) as by the absence of all announcement of any remedial measures in her Majesty's Speech, that the Ministers of the Crown contemplate proposing no such measures for our adoption. Under these circumstances, it is the duty of an independent Member of Parliament to consider whether things can be safely left in this situation. I, for one, believe, that they can not; I believe the situation of the country to be one of the most serious danger, in which we are threatened with evils which our inaction may render overwhelming, but which we nevertheless still have it in our power to avert. Having this conviction, I have thought it right, with the advice and concurrence of the friends who sit around me, to bring forward this motion, and to do my best to induce the House, by its vote this night, to declare, that in the present situation of the country, it is necessary to make some attempt to improve that unhappy state of things which at present exists. In asking the House to come to this decision, it appears to me that what I am called upon to show is, first, the existence of great and general distress; and next, that the causes of that distress are such as not to place it altogether out of the reach of legislative interference. Because I am at once ready to admit that the House ought not to assent to the motion, or go into the committee I now propose, unless with a view of arriving at some practical result, and unless they are satisfied, not merely of the existence of distress, but likewise that the Legislature can do something, at least, for its alleviation. I am aware that the more difficult part of the task I have undertaken will be to make out the second part of my case; namely, that the causes of the distress are not altogether beyond the reach of legislative interference. Indeed, as to the first part of my case—the existence of distress—this is so severe and general, beyond all former example, that I might almost content myself with resting the matter simply upon its notoriety, and upon the admission of the fact which her Majesty has been advised to make in that part of the Speech which has just been read at the Table. I shall, therefore, pass over this part of my subject as briefly as possible; and will merely endeavour to recall to your recollection—I hope at no great length—what is at this moment the actual condition of the country. Let me, then, remind you, that time is now to be reckoned not by months but by years, during which the manufacturing and commercial interests of the country (to use the words of her Majesty's Speech) have been in a state of great "depression." That distress which, in the first instance, affected only one great branch of our national industry, has lately—as must always, in my opinion, be the case—extended to all the other great interests of the state. I believe hon. Gentlemen opposite will not differ from me when I state that the present condition of the agricultural interest is one of great difficulty. It is suffering from a depression of prices, arising from a diminished consumption of some of the most important articles of agricultural produce. The consequence is, that the farmers are every where exposed to great difficulties, and in many places those difficulties extend from them to the agricultural labourers, the reduction of whose wages, in various parts of England, we must all have seen announced in the newspapers. And even where wages have not been reduced, I believe there has been almost an universal scarcity of employment, which has been too often seriously aggravated by the return to the rural districts of numbers of men, who for many years have obtained ample employment in the great seats of our manufacturing industry. The mining and shipping interests of the country have more than participated in the general pressure. They feel more than their share of the general distress; while the retail tradesmen and shopkeepers in the metropolis, and the towns throughout the kingdom, are in a similar condition. They are at once exposed to the difficulties arising from the increasing weight of the poors' rate, and from the falling-off in their business owing to the general diminution of consumption. In the course of last summer it had already become a matter of no inconsiderable difficulty in many towns to collect the poor rates; and at the very time when this burthen has been so frightfully increased, tradesmen have also suffered from a great diminution of their business, a diminution which naturally follows from the reduced earnings of the working classes, and also from the diminished incomes of persons in the higher and more wealthy classes. Because a large proportion of the more wealthy classes either directly or indirectly derive their incomes from sources depending upon the prosperity of some branch of the national industry, so that they, also, are now beginning—and I am afraid they are only beginning—to feel the effect of the present state of things in the reduction of their incomes. And even those whose incomes have not been at once affected by the general distress have been exposed in common with others, to some reduction of their means by the new and direct demand made upon them to meet the exigency of the public service. The consequence of all which has been, that, whether in the lower or higher ranks of life there is hardly a family which has not to a greater or a less extent, been compelled to practise economy, to retrench some former expense, and to give up some luxury to which they have been accustomed. The result upon the whole has been a very great diminution of the expenditure on which depends the business of the tradesmen, the artisans, and the shopkeepers by whom the consumption of the country is supplied. Such, I believe to be a most unexaggerated statement of the actual condition of the country, in which every branch of industry and every class of society, from the highest to the lowest, are in various degrees labouring under difficulty and distress. And now, Sir, as I do not wish to go into details, as I am anxious to avoid them as far as is practicable, knowing that I shall have to trouble the House longer than I wish, in attempting, as I think I ought, to make good the general description I have given of the condition of the country, by some facts relating to particular places, I will content myself with referring very shortly to what I have ascertained to be the present condition of the important town I have the honour of representing, and of the county with which I am most closely connected. Since I have given notice of this motion, a great deal of information has been sent to me from various quarters; accounts of distress from one end of the kingdom to the other, of the most appalling character, have reached me: but I think it better to leave it to other gentlemen to state the local circumstances of the places they represent, aud confine myself strictly to the large town I myself represent, and with the county with which I am most closely connected. With respect, then, to the town of Sunderland, I have taken some pains in endeavouring to ascertain its actual condition; and having written upon the subject to gentlemen on whose accuracy I have the most perfect reliance, I have obtained information which I believe to be entirely trustworthy. I need not tell hon. Members that the town of Sunderland is mainly dependent upon those two great branches of our national industry—the coal trade and shipping. The building and navigation of ships and the trade in coals have been the chief support of that town. In the first place, with respect to the coal trade, the statement I have received is, that the coal trade is in a deplorable state. When the present engagements (which are for a year) expire, there must be a reduction both of the number of pitmen employed and in the amount of their wages. I may observe in explanation of this statement, that the hewers and underground workmen engaged in raising coals are generally hired by the year, which engagements will terminate on the 5th of April; and unless some great change previously takes place, on the 5th of April there will be a considerable reduction both in the number of men employed and in the amount of wages paid. I ought to add, as hon. Gentlemen may not be aware perhaps of the fact, that the common agreement in the collieries in the north of England is, that each man, during the year for which he is engaged, shall have at least a certain number of days' employment in a fortnight. If trade is brisk an increased amount of work is given; if not, only that stipulated for by the agreement. Now, the proprietors already allow their men only the minimum number of days which the agreement requires; and, as I have stated, unless a favourable change should occur before the 5th of April, a reduction will then take place. Then, with respect to the workmen employed above ground—the carpenters, blacksmiths, and all other persons employed about the collieries—all these were reduced from Saturday the 4th of the present month, both in the rate of wages paid, and the number of days of employment, they being now employed ten days in a fortnight only, instead of the full number, making, of course, a very serious diminution in their earnings. The proprietors, not having it in their power to continue to them the same extent of work, had the alternative of turning off one-sixth of their hands, or making the reduction I have stated. It was considered most for the interest of the persons employed that the reduction should be made in the manner I have mentioned. This information I have derived from one very large establishment; but my informant tells me that the same thing has taken place in several other large establishments in the county of Durham, which ship their coals from the Wear, and that he has reason to believe that it will be very general throughout the coal districts. I now come to another great branch of trade carried on at Sunderland. I am told that in 1840 ship carpenters received from 30*s.* to 33*s.* a week. Those now employed receive only from 18*s.* to 21*s.* a week, and several have left the town for royal or other ship-building establishments, where Sunderland shipbuilders are generally preferred, owing to their character for ability. Many have gone to sea at sailors' wages, whereas three years ago they could with difficulty be procured at 20*s.* a month more than common sailors' pay. The wages of other classes in the town have declined in much the same proportion. Two years ago there were ninety chainmakers in full work, now only thirty-one are employed and these only two days a week, or one-third of their time. It may fairly be said that one-half to two-thirds less is paid in wages than two years ago. It is impossible that the working classes can suffer to such an extent without their employers suffering also in a corresponding degree. The statement furnished to me says that in the year 1839, there were eighty shipbuilders in the port of Sunderland, of whom thirty-six have failed to the aggregate amount of 320,000*l.*; five have declined business, leaving only thirty-nine out of the eighty who now continue that branch of trade. Twenty merchants and chain and anchor smiths have failed to the aggregate amount of 100,000*l.* A great number of grocers, publicans, and others have failed to a large amount of which, no account can be obtained. There are in the High Street alone from forty to fifty shops unoccupied, in consequence of the greatest part of the previous tenants having become insolvent. To this statement is added a fact, which is very remarkable, as showing the manner in which this distress existing in large towns, seriously affects the agricultural community. The quantity of meat sold, as stated by the butchers, was not more than one-half in 1842 to what it was in 1841. Now, let me confirm this representation of the distress of the town by stating what is the present condition of Sunderland with respect to the poor-rates. This subject was mentioned a few days ago by my hon. Friend, the Member for North Durham, and I believe what he then said was pretty nearly accurate. The borough of Sunderland consists of three parishes; the parish of Sunderland, the parish of Bishop Wearmouth, and the parish of Monk Wearmouth. The first parish is inhabited chiefly by the working classes, and the rates during the last six months have been at the rate of 18*s.* in the pound per annum on two-thirds of the rack rent, the actual amount for the whole year has been 17*s.* 3½*d.* In Bishop Wearmouth, the inhabitants of which comprise a larger proportion of the wealthier classes, the poor-rate has been only 4*s.* 4*d.* in the pound per annum on two-thirds of the rack rent, while in Monk Wearmouth the rate was 12*s.* in the pound per annum on two-thirds rack rent. This large amount of rating is in itself a very frightful state of things. But I think a more correct view may be obtained of the destitution and misery existing in the town of Sunderland, by a statement of the sum actually expended for the relief of the poor in different years. I have such a statement before me of the amount given for relief only (exclusive of all other charges) in each of the years from 1837 to the present time. I will not trouble the House with this detailed account; I will only state that the amount so expended in the whole union in 1837 was 7,035*l.* that from that time it progressively increased until it amounted, in 1842, to 14,232*l.* being somewhat more than double the sum which only six years previously had been expended for the relief of the poor. But this is not all. Even this large sum expended for relief has been found inadequate to meet the pressure of distress in that town. In consequence of which the more wealthy inhabitants, although not well able to afford it, suffering as they have themselves been from the state of trade, have been compelled to subscribe a sum amounting to 2,192*l.*, besides giving away from 800 to 1000 tons of coals, to relieve the existing distress. Such is the state of things in Sunderland, and yet I believe that Sunderland affords by no means one of the worst examples of the suffering which now prevails in many of our large towns. Instances of greater suffering and still more severe distress might, I believe, be produced from other places. Because, although undoubtedly Sunderland has to complain of having been peculiarly affected by that very impolitic tax which was last Session imposed upon the export of coal (the consequences of which have already be suench as to afford ground for believing that its mischievous effects will exceed all that were anticipated from it), although that measure has been to Sunderland a special aggravation of the general distress existing there; yet on the other hand, it is true that the branch of industry in which the inhabitants are mainly engaged being the coal trade, and coal being almost a necessary of life, the demand for that article is not, certainly, affected nearly so soon as the demand for many other commodities; the distress, therefore, in the north of England did not commence so early as in some other parts of the country. At this moment the consumption of coals in London has not materially fallen off; and Sunderland producing the best coal, a large part of which is destined for the London market, of course that town is to some extent less severely affected by the general depression of trade than several other places. But I think, even in Sunderland, I have made out a case of distress which is well worth the most serious consideration of this House. Now having taken one large town engaged in, and mainly dependent upon, our shipping and mining industry, I wish next to refer to the state of a great agricultural county. I have written to several gentlemen in the county of Northumberland, to ascertain what the real state of things is in that county; and I am happy to have it in my power to say that, upon the whole, from the statements I have received, things seem to be in a much less unfavourable state there than I have seen them in country papers described to be in other parts of England. The statements I have received are to the effect that the farmers are beginning to be very seriously distressed; that the low price of meat affects them very seriously. They carry on farming upon an improved modern system, upon which great reliance is placed upon live stock. The falling-off in the value of stock has affected them seriously. In spite of every circumstance which ought to have made at this time dear meat, it is known that there has been a very great falling-off indeed in the value of stock. [*Hear*, from Mr. Liddell.] Yes, there is every circumstance which ought to have made meat dear. [*Hear, hear*, from the same hon. Member.] The hon. Member seems to deny that statement; but in the north of England, at all events, I can say, without fear of contradiction, that since the year 1826, there never has been known a time when so little grass was grown in that part of the country. [*Hear, hear*, from the same hon. Member.] The hon. Member does not see that the necessary effect of a deficiency of food for cattle ought to be to make fat cattle very expensive. Is it not obvious that this would have been the natural result of the want of hay and straw, and of the circumstance, that, in many parts of the country, the turnip crop has also been very seriously affected? [*Hear, hear,* from the same quarter.] I perfectly understand the cheer of my hon. Friend the Member for North Durham. He means that a deficiency of hay, straw, turnips, and other food for the winter, must have had the effect of depressing instead of raising the price of stock. Why no doubt, Sir, in the autumn it would do so, but the more the price of cattle was affected by a scarcity of food in autumn, which made the farmers bring their cattle prematurely to market, the more reason should we have to expect that the price of fat stock would be high now. The scarcity of the means of fattening cattle in the winter ought to have insured to those farmers who had the means of feeding their stock, a high price for it at this season, but such is not the fact. I have information upon which I can place the utmost reliance, to this effect, that even cattle that were bought extremely cheap, in consequence of the state of things in September and October last, are now, after being fattened on turnips, selling in the markets at prices giving little remuneration to the farmers. That is the state of things, and it seems to me clearly proved, that it is owing to a diminished consumption of meat. When you are told that in such a town as Sunderland, the consumption of butchers' meat has fallen off more than one-half in the course of one year—can any one be surprised at this state of things? The right hon. Gentleman (Sir R. Peel) need not defend himself from the charge of having given us too great a boon in the reduction of the price of meat, by allowing the introduction of foreign cattle. I shall never for a moment countenance the absurdity of supposing that the introduction of some three or four thousand head of cattle into this country, can have had any effect upon prices here. But I beg pardon of the House for having been led into details (which I was anxious to avoid) by the cheer of my hon. Friend the Member for Durham. I was attempting to give an account of the actual state of the county of Northumberland. Hitherto, I believe, notwithstanding the difficulties of the farmers, the pressure of distress has not fallen much upon their labourers. Work is somewhat scarcer now than it usually is, but there has not been any very perceptible reduction in wages except in a few instances. In one or two places, I have heard that there has been some reduction in the wages of agricultural labour, but it has not been so generally. This may be accounted for from the fact, that large capitals have been vested in farming in the county of Northumberland; the cultivation of the land there has been carried on upon a great scale, and farmers having had some favourable years, they are better able than elsewhere to bear the first pressure without suspending employment, and thereby immediately bringing the consequences of change of circumstances to bear heavily upon the working classes. But symptoms are already apparent that the working classes amongst the agriculturists cannot long escape from their share of the distresses of the times. The farmers are beginning to find difficulty in finding the means of paying their spring rents, and it is impossible that the labourers should not now suffer. Already the wholesale houses complain that they cannot obtain payment as formerly from the small shopkeepers, and the drapers and others in country towns, who have experienced a very perceptible reduction of their business. I am also told that although the farm labourers have not yet generally suffered, in a great measure no doubt, owing to the admirable system of hiring the principal farm servants by the year, and paying them partly in kind, yet that all the artizans and handicraftsmen connected with agriculture have severely felt the depression—blacksmiths, carpenters, wheelrights, masons, plasterers, and others, have found greater scarcity of employment than hitherto. This painful state of things has been much aggravated in various localities by the number of workmen who have returned to rural districts, having been no longer able to find occupation in the towns. I beg to read, from a gentleman upon whom every reliance may be placed, a short statement upon this point, and also as to the rapid increase of the casual poor, which is mainly owing to the failure of employment in the manufacturing districts. After stating some circumstances to which I have just adverted, he proceeds as follows:—

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* From a corrected Report.

> "A want of employment seems to be more felt hereabouts, amongst that class of artizans—masons, joiners, and plasterers—than among agricultural labourers. Many of such who found employment in the large towns are thrown back upon the country, and the demand

for those in the country being also reduced, many of them are idle, and suffering, I fear, considerable privations. Though not living happily, in a manufacturing district, the distress and destitution which prevail in the manufacturing parts of the country are painfully manifested by the shoals of beggars who are found on our roads and infesting our houses. Not the old class of mendicants at all; but whole families, or groups of families, hardly covered by their miserable rags, and suffering from cold and hunger. Wandering from place to place, with hardly a hope of finding work, and many of them begging their way back to the place from whence they came, more broken down in health and hope, and more destitute of clothing than when they left it. However determined one may be not to encourage begging, it is impossible to look on the wretchedness which in this way presents itself many times a day without contributing to its relief from the purse, the larder, or the wardrobe. The land seems filled with miserable beings, for whom it has no use, and whose support only serves to impoverish those a little above them."

This increase in the number of casual poor seems a remarkable symptom of prevalent distress. I have described Northumberland as in a better condition than some other counties, and it ought consequently to feel the evil of casual poor proportionably less than it is felt elsewhere; but such does not appear to be the case. In the Alnwick union there has been a large increase of the casual poor, who have been relieved, and I wish especially to call the attention of the House to this startling fact—that without looking back further than the year 1841 (itself a year of great pressure) this charge has increased in a most remarkable degree; in 1841 the number of casual poor relieved was 1,826, while in the year just closed the number amounted to no fewer than 3,653, or double what it had been in 1841. I am sorry to add, that the evil, instead of diminishing, seems at this moment to be on the increase; in the current quarter, the number of cases of casual poor relieved exceeds that of any former quarter, even of the year which, as I have said, presented double the number of cases of the year 1841. When only half the quarter had expired, 730 casual poor had been relieved, while the heaviest quarter of the year 1841 was only 941: if the second half of the quarter should be in proportion to the first, the increase, as the House will perceive, will be enormous. Having thus taken one great town, and one agricultural county as an example, and upon the whole I believe by no means an unfavourable example, of the state of the country, I think I am justified in saying that the distress (which is referred to in her Majesty's Speech in terms which almost seem to imply that the right hon. Gentlemen opposite conceive it to be confined to the manufacturing portion of the kingdom,) is wide spread and almost universal. I say that I am justified in assuming this fact, and the more so when I look at the falling-off in the revenue, to which the Government has thought it right, in the exercise of what I think a sound discretion, to direct the attention of Parliament. I do not feel equal to engage in any minute examination of the state of the revenue, but I may notice one branch which has always been considered to afford the best indication of the condition of the great body of the people. Of course I allude to the excise; and I find that in the year ending the 5th of January last, as compared with the year ending the 5th of January, 1842, there was a falling-off of not less than 1,173,000*l.* In the last quarter, as compared with the corresponding quarter of the former year, the deficiency was 717,000*l.* I know that an attempt has been made to explain this state of things in two ways. It has been said that a considerable effort was made at the close of 1841 to diminish the balances in the hands of the collectors of the excise, and that the revenue of that year was therefore apparently swelled: it was hence argued that it was not fair to make a comparison between the excise revenue of a year or of a quarter in which there had been such extraordinary receipts, and that of a year or quarter of only ordinary receipt. I am unable to say how far this explanation may or may not be just; I have, therefore, thought that the best test of the truth might be obtained by going back a year farther, and by ascertaining what was the amount of revenue in the quarter ending the 5th of January, 1841. The sum then received was 4,016,000*l.*, while the amount in the quarter ending 5th January, 1843, was only 3,022,000*l.*, showing a deficiency of 994,000*l.*; a sum equal very nearly to one-fourth of the whole revenue derived from the excise in the corresponding quarter only two years before. The other circumstance adduced to account for the deficiency is that which was mentioned by the right hon. Baronet (Sir Robert Peel) on a former night. He said, that the barley crop in 1841 was deficient, particularly in quality, and that this had occasioned a considerable defalcation in the malt duty. But make whatever allowance you will on this account, still I think the House will agree with me in saying, that the fact that in two years, in spite of an increasing population, there should have been a falling-off to this extent in the excise in Great Britain (for the return I have quoted does not include Ireland, and therefore no allowance is to be made for the effect produced either by the new taxes or by the temperance movement in that country), I say the fact that in Great Britain, in two years, there has been a falling-off of nearly one quarter of the whole amount of a branch of revenue depending on the consumption by the great body of the people, of articles which long habit has rendered to them rather the necessaries than the comforts of life, is a fearful proof of the extent to which misery and destitution must have prevailed. Let me ask the House to reflect on the degree of suffering which must have been endured before such an effect was produced by a forced economy. Daily observation may teach us that to submit to a forced economy is painful in every rank of life; even the wealthier classes feel acutely the sacrifices imposed upon them by a diminution of their means: it is not without some degree of suffering that under the pressure of a straitened income they forego what are avowedly luxuries and indulgences which may well be spared, but to which they had long been accustomed. But if even sacrifices like these are painful, what must be felt by the working man under the hard necessity of reducing his humble expenditure? Think what it must be to such a man to be forced gradually to surrender the few luxuries and the comforts to which he has been used, to be compelled to give up his beer and tobacco, to find that tea, coffee, sugar, butter, can no longer form part of the daily meals of himself and his family, nay, that bread itself is becoming a luxury he can no longer afford, and that its place must to a greater and greater extent be taken by some inferior description of food, to see his wife and children falling into rags and daily pining under the privations to which they are forced to submit; worst of all, to have to endure the corroding anxiety, the withering of hope in his heart which he must feel, as week after week, and day after day, his situation becomes worse, till the time of utter destitution approaches, and absolute starvation stares him in the face. It is of sufferings such as these felt by thousands of families of those of our working population who, not long since, were well fed, and well clothed, and well paid; it is of sufferings still more acute now endured by those who, even in prosperous times, earned little more than a mere subsistence, that we are told by the figures which inform us of the falling-off in the excise, it is the existence of such a mass of misery as this which is meant by the diminished consumption to which reference is made in her Majesty's speech. I may, perhaps, be told, that great as the distress is admitted to be on both sides of the House, we may now hope that we have passed the worst; that some symptoms of improvement may now be detected, some signs of the revival of trade and of the dawning of more prosperous days; if I am not mistaken, since the commencement of the Session, such an opinion has been expressed by the right hon. Baronet. Sir, I earnestly hope that this opinion may prove correct, I most fervently pray for the fulfilment of this anticipation of improvement; but at the same time it is impossible for me to forget that towards the close of last Session, when the subject of the distress of the country was, as I think, most properly brought before the House by my hon. Friend the Member for Greenock (Mr. Wallace), the right hon. Baronet used almost precisely the same language. I cannot forget that his words then were almost the very same as those he has now employed, and that his anticipations of improvement then were founded upon signs of its approach not, I fear, more uncertain than those on which he now relies. I cannot forget that since the right hon. Baronet used that language, in spite of the almost unexampled mildness of the season, which in the present situation of the country, must be looked upon as a mercy for which we cannot be too thankful, since, had the winter been severe, the misery of our distressed population must have been incalculably aggravated—in spite, I say, of that mildness of the season, for which we ought to be so grateful to Providence, the winter has been one of the deepest and most general distress. The anticipations of the right hon. Baronet of coming improvement may again fail to be realized—certainly the improvement has not yet extended to the working classes, on the contrary, the statement I have already read to the House shows that only ten days ago, in the neighbourhood of Sunderland, there took place an additional reduction of the wages of the working classes. The distress, therefore, continues with unabated severity among the labouring classes, and I cannot avoid expressing my conviction that we have no right to expect that there will be any permanent improvement in their condition, unless Parliament will, at length, consent to interfere and endeavour to remove some of the causes of their distress. Let me add, that it has already been of far too long continuance, and that it cannot be longer endured without extreme danger to the institutions and to the peace of the country. I wish to touch lightly on this delicate subject, but I cannot help reminding the House that it has already had a warning upon this subject in the disturbances of last summer. [*Cheers from the Ministerial benches*]. I know the meaning of that cheer, but I will not be provoked to enter into an argument as to the causes of those disturbances. For my part, I believe in the justice of an observation made by a distinguished historian, whose recent loss we have to deplore, that the great mass of mankind is so constituted, that they are rarely led to feel serious political discontent unless they are suffering under the pressure of physical want; and that, on the other hand, times in which physical want is long and severely felt, are almost invariably marked by political excitement, and by signs of the prevalence in men's minds of discontent with the institutions under which they live, and of a restless desire of change. I believe this remark to be no less true than it is important in the present state of this country; and the eminent historian has also, I think, correctly traced the fact which he brings to our notice, to an instinctive feeling of mankind which teaches them that poverty and privation cannot be general and severe without being in some manner owing to the faults of the governing powers. No doubt this instinct has been planted in men's hearts as a check on the faults and follies of their rulers; for it is impossible to look upon the world around us—to observe in what rich abundance the goodness of our Creator has placed within our reach the means of supplying all our wants—without being convinced that it was not His intention that the condition of any of His creatures should be one of suffering and privation, and that if we find it to be so, it must be because they do not know how wisely to use His gifts. I do not mean to contend that occasional visitations of national distress can be averted by human prudence; it may enter into the wise designs of Providence, that no people should be entirely exempt from such visitations, though even these, I believe, may generally be traced to men's own follies or wickedness; be this, however, as it may, I can entertain no doubt whatever that the permanent condition of our race was not meant by our Creator to be otherwise than one of comfort and abundance. Whenever we find it the reverse we may rest assured that it is because men do not avail themselves as they ought of the goodness and bounty of Providence, whose gracious designs for their welfare are thwarted by their own perversity. Such being my firm conviction, I think that the mere fact of the long continuance of distress in the country of itself affords a strong presumption that there must be something wrong in its social organization. When I see that industry, frugality, and prudence cannot secure to men blessed with health and strength a competent share of the necessaries and comforts of life, and that this has now been the case for a considerable length of time—I cannot resist the inference that such a condition of things can only be accounted for by the fact, that there is some fault in our laws or social arrangements which Parliament is called upon by its interposition to remedy. This is a conclusion at which I think it would not be unreasonable to arrive, from the mere fact of the long continuance of distress, but it is supported also by other considerations. If there be not something amiss in the condition of society—something that jars and is out of order in the working of the political machine—why is such distress experienced? Do we not possess all the advantages necessary to make us a happy and a prosperous nation? Has our soil lost its fertility? Have we not had a season, fine almost beyond example, a harvest which her Majesty's Government, at all events, consider to have been one of more than ordinary abundance? Have we lost that immense accumulation of fixed capital in public and private works of utility by which this country has been long so remarkably distinguished? Has the persevering and intelligent industry of our population failed us, or the energy and enterprise of our capitalists? Why, then, with all the elements of wealth—with everything that should make a country prosperous—is every branch of industry labouring under difficulties, and every class of society suffering from distress? Surely there must be some reason for this unhealthy state of affairs, and that reason it ought not to be beyond our reach to ascertain. It is universally felt that some explanation of our unhappy condition is required, and many different ones have accordingly been offered; with the permission of the House, to some of these I will now very shortly advert. In the first place, I cannot help observing, that some years ago, when the distress of the country was a frequent subject of discussion, our debates used chiefly to turn on the expediency of a change in the currency, which a considerable number of Gentlemen very ardently advocated, contending that a more liberal issue of paper would be a certain remedy for all the difficulties under which we laboured. Happily we have lived to see this opinion fall to a great discount, and I need the less attempt to answer it, because the subject cannot be left in better hands than those of the right hon. Baronet, as a remarkable correspondence, recently published, has, I apprehend, fully demonstrated. I believe I may say that there are very few Members now in the House who are not firmly persuaded, that instead of improving our situation, we should only aggravate all its evils, if we should now be so unwise as to give up that first and most indispensable requisite of prosperity to our commerce, a certain measure of value and a secure medium of exchange. If we want to see the effects of such a mistaken policy, we have only to look to the other side of the Atlantic. I may, therefore, reject the notion that the state of the currency is the cause of distress. The next opinion to which I would refer is one which was formerly more advocated than at present, viz., that the pressure of taxation is the cause of the prevailing suffering. It seems to me that the answer to this position is as simple as it is conclusive. I am not aware that the commencement of distress was at all marked by an increase of taxation; I believe that the national burthens had not then been augmented; but when I speak of taxes, let me guard myself by saying, that I include only those taxes which are *bonâ fide* imposed for the purposes of revenue, and not those heavy burthens imposed upon us in the form of duties, not for the sake of raising revenue, but for other objects, and with other views of policy or expediency. Looking only to revenue taxes, I will fairly avow my own opinion, that in proportion to its means this country is more lightly taxed than any kingdom in Europe. The load of taxation is no more than the nation is perfectly able to carry; and I may add, that with the exception of the impolitic taxes of the last Session, and of one or two others to which objection may be taken, the revenue of the country may, upon the whole, be considered to be derived from unexceptionable sources. I cannot, therefore, look for any permanent or material relief from diminished taxation. There is another opinion which has several advocates out of doors, although, until I observed a notice which has been given by an hon. Member, I own I did not expect to see it brought forward in this House. I allude to the notion that all our distress proceeds from what is called over-speculation, over-production, aad over-extension of the use of machinery. Although this doctrine has found one Gentleman at least to advocate it within these walls, I am satisfied that it will receive little countenance here; certainly none from the right hon. Baronet opposite (Sir R. Peel), who, last Session, on introducing his measure for the alteration of the Corn-law, appears to me to have taken a perfectly correct view of the subject. When speaking of over-production, over speculation, and of the sudden extension of machinery, he said, that—

> "Coincident with general prosperity, there might exist in particular districts the severest partial distress."

I believe in that sentence the right hon. Baronet stated the truth upon this subject most accurately. I see no reason to doubt that partial and temporary distress may result from over-speculation, and the sudden introduction of new machinery; but I confess for my own part, that I can only understand the words over-speculation and over-production when they are applied to a disproportionate and unwise production of some particular commodity or class of commodities. I am at a loss to understand how any nation can suffer from too great abundance of everything which it requires to consume. Can we have at once too much food, too many clothes, and too much of all the different articles of comfort; or how can an abundance of all that is required to supply their various wants be an injury to the working class of the community? In like manner the introduction of new machinery may for a time affect injuriously particular bodies of workmen; but if you look at the effects of new machinery on the country as a whole, if you look to its general and permanent results, it is inconceivable how an extension of the use of machinery can have any other tendency than that of increasing the power of industry, of making a given amount of labour produce a larger quantity of articles useful or necessary to the community, and thus increasing the share of these articles which each individual in return for his labour may hope to obtain. For this reason I cannot understand how over-speculation and over-production can be the occasion of more than very partial and temporary distress. When distress becomes general —when you can no longer detect any symptoms of its arising from the disproportionate increase in the production of particular articles—this explanation ceases to apply, or to throw any light upon the condition of the country; nay, more—looking to what the condition of this country actually is, it seems to me a palpable absurdity, not to say a heartless mockery, to tell the working classes who are suffering so severely from the want of food, of clothing, and of all the comforts and luxuries they used to enjoy, that it is to the too great abundance, to the needless profusion in which all these things are produced for their use that their difficulties are really to be attributed. Others have said, that the existing distress is occasioned by the new Poor-law, and the hon. Member who has given notice of his intention to move the amendment, referring to over-production, is a supporter of this dogma also. The present is not the fit opportunity for discussing the policy of the new Poor-law; but I may say, that the argument which seeks to establish any connexion between that measure and the present distress, seems to me entirely to fail, for the simple reason, that the evils of which we complain are felt as strongly in Scotland as in England. The committee appointed to inquire into the distress in Paisley, will, I fear, afford convincing proof that Scotland bears her full share of the existing suffering; but there has been no change of Poor-laws in Scotland; they there remain what they were a few years ago, when that country presented a striking example of an industrious, prosperous, contented, and orderly population. If, therefore, the evils are common to both countries, and the change in the Poor-law only applicable to one, we see clearly that the charge that this new measure is the cause of distress cannot be well founded. Another delusion of much the same kind is that of attributing the sufferings of the working classes to the niggardliness of their employers. I have observed (in common, I have no doubt, with many other Gentlemen) with feelings of indignation, the attempt which has been made in certain quarters to excite or forster in the minds of the working classes the dangerous delusion that it is in the power of the masters to give better wages if they thought proper, and that it is to their selfishness and inhumanity that the sufferings of those beneath them are to be mainly attributed. A complete answer to this notion is furnished by the undoubted fact that the masters, the whole class of capitalists, are suffering their full share of the present distress. The *Gazettes* of the last two years, and the melancholy list of failures they contain, together with the unnaturally high price of the funds, showing the low rate of profit and the difficulty of safely employing capital even at this low rate, sufficiently establish the fact, that the masters are not less sufferers than the workmen. I think this circumstance deserves the most serious attention, as it is at once the most unfavourable and formidable symptom in the present state of the country, and as it throws the strongest light on the cause of the existing distress. What I allude to is that you have at one and the same time an extremely low rate of profits, and an extremely low rate of wages: that is, that the whole produce of industry is too small to afford sufficient remuneration to those among whom it is divided; that the whole return obtained from the employment of capital and labour is so small, that the shares both of the working men on the one side, and of the capitalist on the other, are reduced to so low a point, as to be scarcely compatible with the long continuance of the process of production. This, Sir, is a most dangerous symptom; and I think it is, also a most instructive one. If the low rate of profit and of wages is admitted (and I think it can hardly fail to be so) to be the cause of the distress which we suffer, it will lead us into the right track to trace its causes. If I ask any gentleman no matter of what opinions, why wages are so low, and why profits are so small, the ready and universal answer will be, that it arises from the intense competition which takes place; this is the reason why the class both of labourers and of capitalists are in distress, why the wages of the one are depressed, and why the profits of the other are at a ruinously low rate. We all know that in every branch of industry, in every walk of life, there are symptoms of this intense competition. Is there a piece of work to be done? There are generally two men who offer when there is only sufficient employment for one. If a gentleman engaged in one of the liberal professions is about to retire from business, there are half-a-dozen competitors to supply his place. If there is a safe opportunity for the advantageous investment of money, either in trade or by way of mortgage, there is ten times more money offered than the sum required. Whenever an opening is offered for the employment, either of capital, or of labour skilled or unskilled, a host of competitors appear to contend for it. The existence of this intense competition is universally admitted. If, then, this is the fact, to what are we to attribute it, except to the circumstance that there is not sufficient field for the employment of the rapidly increasing capital and population of this country. If it be admitted that competition is the direct and immediate cause of the low rate of wages, and of profits, and of all the evils thence arising, it seems to me equally clear, that this intensity of competition is itself the result, or rather the symptom and conclusive proof of a deficiency in the field for the employment of capital and of labour. It is this, therefore, which, I contend, is at the bottom of the difficulties under which we are suffering, and in order to relieve them what is really required, is to extend the field of such employment; it is to the making of new openings for the employment of capital and of labour, that all our attention ought to be directed. If, Sir, I have thus far established the case—if our great object ought to be to find out how the field for employing capital and labour can be extended, the question at once forces itself upon the mind, is not this field unfortunately narrowed, and confined, and cramped by artificial barriers and restrictions? Are there no such barriers and restrictions, the simple removal of which will produce the effect we desire? I maintain, Sir, that there are, and upon this point I am perfectly willing to rest the whole of the case which I am submitting to the House. I say that my main object is, to show that the natural field for the employment of capital and labour is narrowed, cramped, and confined by artificial restrictions and barriers, which it is in your power to remove. And how do I make out my case? I say, in the first place, that there are laws on your statute book, placed there for the especial purpose of restraining importations from foreign countries; they do not do so incidentally, this is not an unwished for but inevitable result of measures having some other scope and object, such as that of raising revenue. No; those laws were passed, and are still maintained for the express purpose and with the intention and design of restricting and narrowing the importation of many different articles from foreign countries, and they are successful in the object they propose. It is notorious, that if these laws were repealed or modified to-morrow, there would be a large increase in the importation from foreign countries of various commodities, and especially of that article which forms the staple food of the people. Nay, the Gentlemen who oppose any relaxation of these restrictions, rest their whole case upon the flood of imported articles, which, they say, would rush in and overwhelm us, if these barriers were removed. I have a right, then, to assume, that if these restrictions were taken away, we should largely increase our importations from foreign countries. The next and most material step in my argument is, that such an increase would, at once, set in motion to the same extent the industry of the country. [*Dissent from the Ministerial benches.*] I perceive, by the marks of dissent, that this assertion is disputed by hon. Gentlemen on the other side. Allow me, therefore, to call in a witness, who ought, with them at least, to have very high authority. During the discussions on the tariff last year, in the course of the debate on the introduction of foreign cattle, the right hon. Gentleman, the Vice-President of the Board of Trade, while showing, with great ability and with triumphant superiority of argument, against his friends—if, indeed, they are still his friends who sit behind him—the futility of the objections to the measure he proposed, expressed himself in the following terms:—

"Suppose that 50,000 head of cattle were to be annually imported, such importation would produce but a small effect upon the prices of meat, but it would create an import trade to the amount of half a million of money—a trade which, in its nature, would tend by a smooth, and, under ordinary circumstances, a certain, though a gradual course of operation, to produce an export trade, in return of an equal amount; which would contribute—he did not say in a moment—but in the course of years—to an increased demand for employment and labour."

I now appeal to the right hon. Gentleman, and I beg leave to ask him whether, if this argument holds good with respect to foreign cattle, it must not equally hold good with respect to foreign coffee, to foreign sugar, and to foreign corn? If the importation of cattle to the value of half a million from foreign countries would create an export trade to that amount, and give additional employment to the industry of this country, I ask if five times, or if ten times that amount of importation of the articles I have mentioned would not also create a corresponding amount of export trade, and would not have a similar effect in increasing the employment of industry and of capital. This is a plain question, to which I am particularly anxious to hear the right hon. Gentleman's answer. I contend, that if his argument is good as applied to the introduction of cattle, it is equally so with respect to all other commodities; and I am convinced, that the right hon. Gentleman is right: his argument is unanswerable; and I have no doubt that our export trade is measured and limited by our import trade. This appears capable of being made out by the ordinary principles of common sense and of reason. I ask how an individual merchant could prosper if he were to export commodities, and were to have no return? It would not be the way to get rich, but a speedy and certain road to ruin and the *Gazette*. And here I may remark, to prevent any cavil which may be raised, that it is perfectly immaterial whether the return be in gold, silver, or in other commodities, because, for all purposes of trade gold or silver are mere commodities like any other; they have no superiority over any other; on the contrary, perhaps, beyond what is sufficient as currency to afford a medium of exchange, gold and silver are more exclusively articles of luxury than almost any others we import. I then say, that if an individual merchant cannot afford to send his goods to other countries without obtaining a return, what is true of each merchant individually is true of all our merchants collectively, and of the country as a whole,—that a trading country cannot afford to export commodities to foreign countries if in some shape or other it does not receive from those countries imports in return. And what holds good with respect to us holds good with respect to other countries also. If we cannot afford to export to them without a return, they cannot afford so to export to us. France cannot send us her brandies or her wines; Poland cannot send us her corn, without in some shape or another, receiving a return. It is very true that the return may often be indirect; it is perfectly possible that Germany or France may be unwise enough to exclude our manufactures, and, as a consequence, must receive payment, not by direct exports from hence, but by British manufactures, sent from Brazil or China to pay for the tea, the sugar, or it may be the bullion, by which our debt to them is to be adjusted. By some indirect means, if we did not interfere with what was no concern to us, our merchants would not be slow to find out means of payment. I say, then, that it is consistent with common sense to suppose that our export trade must be measured by our import trade; and I say further, that the fact that it is so is confirmed by experience. I ask you whether the Brazilian merchants could not receive more of your goods if they had the means of payment? I ask whether the United States could not take a far larger share of our productions if they had larger means of making us returns? Allow me to support this statement by the evidence of a gentleman whose authority ought to stand very high in the House, of a gentleman who unites a thorough knowledge of the principles and theory of commerce, with their practical application—I allude to my hon. Friend the Member for Inverness, and I am sure that the House will agree with me, that it is impossible to name a person more competent to give an opinion or evidence as to a fact relating to trade more completely to be relied on. On the motion of the Member for Greenock, last year, my hon. Friend the Member for Inverness, after having shewn in detail that we could afford to export most of our manufactures at a cheaper rate than other countries, summed up his statement by saying, that

> "He thought he had shewn by these examples that the present distress in this country was not caused by the successful competition of other nations. This was an important point to establish. We were distressed, not because our prices were too high, but because other nations could not purchase more of our goods in consequence of our laws excluding the importation of the produce which they could give us in return."

This statement is founded on the actual experience of so high an authority as my hon. Friend the Member for Inverness. Let me go on to say, that in no part of the world can we find any deficiency of a desire to obtain our productions. Do hon. Gentlemen think that the barbarous and savage nations inhabiting Africa have no desire for the productions of the industry of civilised life? So far from this being the case, Sir Fowell Buxton has truly stated that all the horrors of the slave-trade may be traced to the intense desire existing in that country for the productions of civilised industry. The Africans have been unable to pay for these productions except by selling into slavery their fellow men; and even at this price they have been anxious to gratify their desire for them; we trust that as the slave-trade shall be more effectually suppressed, this same desire will drive these barbarous and savage tribes to industry—the legitimate means by which it can be gratified; and this already begins to be the case. If your trade with these nations is still small—if it is still insignificant when compared with the extent and population of this great but degraded continent, to what is it owing except that a poor and barbarous people has nothing with which to pay for your commodities: it is only because they are poor and barbarous that they are such bad customers. Is it not perfectly clear that the only difference in the value as customers between a rich and civilised country on the one side, and a poor and barbarous country on the other, is that the rich and civilised country has the power, which the other wants, of making a return for your commodities? This is the only real difference in the value of a trade with the greatest and most civilised nation, or with the rudest and most barbarous. But do you not see that by the restriction which you place upon the importation of agricultural produce you do your best to place the United States on a level, in their value to you as customers, with the barbarous inhabitants of the coast of Guinea? By your restrictions on the productions of France, upon her wines and spirits, and upon various articles which she can send you, you place her, with respect to trade as far as you can in the same situation as the savages of New Zealand, or of any other of the islands in the Pacific. As far as in you lies, you reduce these great and civilised nations to the level of the rudest and most barbarous of mankind. Hence, I think that I am perfectly warranted in saying that I have made out the two propositions; firstly, that we might have a large increase in our importations, except for the restrictions of our laws; and secondly, that a large increase in your imports would be attended by a great increase in your exports, and in your manufacturing industry. Be assured that unless you consent to afford new facilities to the importation of commodities from other countries, it will be in vain for you to negociate commercial treaties, for which you now take credit. It will be in vain you flatter yourselves that by the force of your arms you have obtained a new opening for your trade into the great empire of China; unless you will receive a greater portion of the produce of other countries, all your hopes will be fallacious—all your expectations of benefit from your commercial treaties, or from your success in China, will be deceived, unless you consent to alter the system on which you are at present acting. The obstacles to the extension of your trade are not in foreign countries,—they are in the regulations of your own Custom-house. I know, Sir, that I shall be met by the stale and cuckoo note, that "Your views are only theoretical." It is an objection which I have often heard within this House. My answer, certainly, is—I do not think that opinions are less entitled to be received as just because they rest upon general reasoning, provided that reasoning is accurate and is founded on a sufficient basis of well-ascertained facts. But, further, the opinions which I have advanced as to the impolicy of restrictions upon commerce do not rest merely upon general reasoning—they are founded upon the largest, and widest, and the most universal experience. No, Sir, I will boldly challenge any hon. Gentlemen to produce one instance in which they have been fairly tried and have not produced the greatest benefits in practice. Suppose, Sir, we were to act upon a smaller scale, upon the principles of restriction and jealousy, which we are so apt to make our practice in the intercourse between nations. Suppose the different counties in this country had the same jealousy of each other as England has of France, or France of the United States, or of Germany. Suppose the county of Northumberland, envious of the wealth which the woollen manufacture brings to Yorkshire, had determined upon having manufactures of her own, and had said, "We produce the finest wool, we must not allow it to be worked up in Leeds, we must not let strangers make such a profit at our expense; and therefore the wool which we grow we must manufacture ourselves, and we will lay protecting duties upon the woollen goods which you send us from Yorkshire." And then, suppose that Yorkshire had said, "The rent of land in our county is so high, owing to the number of manufacturing towns, we cannot compete with Northumberland, we cannot grow corn in Yorkshire as cheap as they can in Northumberland, and we will, therefore, impose a protecting duty upon corn brought from that county. Let me ask whether the adoption of such a restrictive system would have added to the wealth, the happiness, and prosperity of either of those counties? Let me ask whether the superiority which this country enjoys in wealth and civilisation, and in manufacturing industry, is not to be attributed to the circumstance that, however unwise our legislation may have been with respect to external commerce, in practice our trade, internally, has, in spite of some bad laws, been almost unfettered? Our internal commerce has been, to a great extent, free; and the result of that freedom has been to give us a superiority in wealth and in manufacturing industry: whilst in foreign countries, in France, in Germany, and in Spain, the intercourse between different provinces of the same kingdom was, to a late period, and in some cases still is, greatly impeded; with us it has not been so, and to this difference our superior progress is in no slight degree attributable. Let me go on: before the time of the union between this country and Scotland, there existed in this division of the country the meanest and lowest jealousy of Scotland. We were anxious to deprive the Scotch of any participation in our colonial trade, we were afraid of their competition with us, there was a feeling of the greatest commercial jealousy. Fortunately these selfish and short-sighted views—for in all cases, then as now, it is intense selfishness which is at the bottom of this system of restriction; fortunately, I say, these selfish views did not prevail. By our union with Scotland the freedom of intercourse was secured, and the result has been most beneficial to both countries. Again; within the memory of men still alive, the United States of America have been separated from this country, and those restrictions upon trade, which were in force when they were as our colonies, came to an end. Was this change followed by any falling-off, of trade? No. The experiment of greater freedom of trade was for many years followed by a more rapid and wonderful progress than it had ever made under those restrictions, the voluntary abolition of which might, perhaps, have preserved the connexion between the two countries to this day, About the same time we were beginning a system of commercial freedom between England and Ireland. It is well known that when the restrictions on the commerce between this country and Ireland began to be removed, great was the outcry among those who were called practical men at that time. The merchants of Bristol dismissed from serving them, as their representative, that philosophical statesman, Mr. Burke, his chief offence in their eyes being that he would not lend himself to their narrow commercial policy and oppose the measures of commercial liberality towards Ireland which were then in progress. The ground on which that change was resisted is precisely the same as we hear from some persons at the present day. The merchants of Bristol said (what, thank heaven, few merchants now say, although others still hold such language) that this country could not compete with Ireland, because Ireland was more lightly taxed than we were. Here again, most fortunately, the narrow view did not prevail. To Ireland was given, by degrees, commercial equality with England. Let any man now attempt to deny that the result of this equality has been beneficial to both countries. We know that the improvement in the intercourse between England and Ireland has added essentially to the wealth, the prosperity, and the happiness of both. Let me ask, further, of those who object to the emancipation of trade from artificial and vexatious restrictions, because they say such views are theoretical, let me ask of them upon what their opinions rest? It may be wise to say, to the starving artisan of Sheffield, that he shall not exchange the produce of his labour for the corn of the United States, which they are anxious to offer to him in return; it may be true that the policy by which nations are most likely to get rich is by protecting duties as they are called, to make people consume dear articles, when they might have cheap ones; it may be conducive to some great national interest to do this; but at least allow me to observe that, however satisfied you may be that this is good and wise policy, that it is so is a proposition which must be made out; it requires proof; it is not obvious at first sight to common sense. This opinion is a theory, if ever any opinion deserved the name. But further, it is a matter of history that this system of restriction was built not merely on a theory, but upon a theory now universally exploded and obsolete. How, let me ask, did it arise?—Why, in the notion that gold and silver constituted the wealth of a nation; that all a nation gained by trade was an increase in the amount of gold and silver, and that the increase in the exports, and a reduction of the imports go as to have what was called a favourable balance of trade—was the course which ought to be pursued by all countries. It is notorious that the whole system of restriction was built upon this theory. It is equally notorious that no one at this day will be bold enough to get up and defend it, that it is now only mentioned amongst men of the most ordinary education as a curious and singular illustration of the extravagances of folly to which men may be led by their own selfishness. The object of the motion which I shall now propose to the House is to induce you not to cling with obstinate perseverance to this absurd and vicious system of restriction, based on an exploded theory and of which the practical fruits are before you in a destitute and suffering people, an empty Exchequer, increasing taxation, and a falling revenue; to induce you to give up a system productive of such results is the object of my present motion. I do not venture to point out the extent to which you should now go in removing restrictions upon trade. I do not presume at this moment to go into details. [*Murmurs from the ministerial benches.*] If the House will consent to this committee, I shall be happy to meet the arguments of hon. Gentlemen in details; but this is not the time for doing so. I will not now express an opinion whether you should substitute a perfectly free-trade or a fixed duty for your system of Corn-laws; I will not express an opinion as to the extent to which you ought to reduce your protecting duties upon foreign sugar, on foreign coffee, on foreign spirits, and on many other foreign articles that might be enumerated. All I ask of the House, in adopting my motion, is to declare this —that, in consideration of the extremity of the present distress, in consideration for the suffering population, you will review your commercial policy, with the purpose of removing or of making a progress towards removing those restrictions by which the industry of the country is cramped and confined. And, Sir, I cannot help appealing to the right hon. Gentleman opposite to know how he can, in consistency, refuse to take the course I now propose. The principles which I have this night advocated have been laid down by the right hon. Gentleman in argument on former occasions as broadly, as strongly as they now have by me, and with far more ability than I can pretend to. He has told us that the interests of a country would be best served by selling in the dearest market and buying in the cheapest. He has practically, to a certain extent, applied these principles in the measures he has carried. He must therefore, believe them to be true; he must believe them to be sound; and if they are true and sound, they lead irresistibly to the conclusion that a further application of the same principles must tend to the relief of the country. In the words of the right hon. Gentleman which I have already read, the further removal of restrictions upon importation must " lead by a smooth, certain course of operation to an export trade of an equal amount, which will contribute—not in a moment, but in the course of years—to an increased demand for employment and labour." If he believes these principles to be sound, and I again say I must suppose that he so believes them, since I am grateful to him for having, by partially adopting them, greatly reduced the weight of the fetters by which our commerce was before oppressed, he must be convinced that they are capable of a further application to the relief of the country. If, on the other hand, he does not believe them to be sound, why did he unsettle everything by his measures of last Session? Why did he throw out arguments, and lay down principles, leading by necessary inference, so far beyond his practical conclusions? If restriction and what is called protection is the best policy, why by his acts, and still more by his words, has he shaken it to its foundation, and inflicted, in the opinion of its adherents, much injury on the country? He ought not to halt between two opinions; the one must be right the other must be wrong. If it be right to favour the freedom of trade, and to remove the restrictions upon the industry of the country, let him proceed in that course. Do not perpetrate the injustice of refusing to the population, at a time of intense suffering and distress, what on that supposition will tend to their relief. If, on the other hand, these principles are erroneous—if we took the wrong course last year—let us return to the old one; let her Majesty's Government boldly avow that this is the choice; let us retrace our steps; and let restriction be the order of the day. The question I now leave in the hands of the House, with many apologies for having detained them so long. I ask, will you, in the present fearful state of destitution in the country, allow things to remain as they are? If you do, the responsibility will not rest with us, who this night support an opposite course; it must rest exclusively with her Majesty's Government and those by whom they are surrounded. I beg leave, Sir, to move that

"This House do resolve itself into a committee of the whole House, to consider so much of her Majesty's speech as refers to that depression of the manufacturing interest of the country which has so long prevailed, and which her Majesty has so deeply lamented."

Mr. *W. E. Gladstone* said, Sir, I feel the weight and the solemnity of the appeal which the noble Lord who has just resumed his seat, has made to the Government upon the circumstances in which the trade and industry of the country are at present placed. I feel the force of those descriptions which the noble Lord has drawn with reference to the distress which prevails in the country, and I must say that, with respect to a large portion of the noble Lord's speech—to the whole of that portion in which the noble Lord confined himself to a delineation of those features of distress — I have little to object. I think, undoubtedly, that there are particulars in which the noble Lord's description may be qualified : but I acquit him altogether of all desire to exaggerate the unfortunate symptoms of the case. I acquit him of all intention, by any unfair statements, by any declamatory appeals, to bewilder the judgment of the people of this country. Let me however, proceed to notice those particulars to which I have alluded. The noble Lord, in speaking of this subject, referred to the distress which, as I understood him to say, had been occasioned to the upper, the upper middle, and the middle classes of society by the Income-tax; by its pressure upon the means of giving employment to labour, and by the privations which from that cause accrued to the industrious classes. In the opinion which the noble Lord expressed upon this point I cannot agree. It has been admitted by my right hon. Friend at the head of the Government during the discussions of last year, that there are many objections fairly applicable to the imposition of an Income-tax; but surely it must be allowed on all hands that at least such a tax has one great and signal merit, that it does reach what no other tax can be guaranteed to reach, that enormous accumulation of wealth which is constantly amounting upwards in this country. It is one of the most melancholy features in the social state of this country, that we see, beyond the possibility of denial, that while there is at this moment a decrease in the consuming powers of the people, an increase of the pressure of privations and distress —there is at the same time a constant accumulation of wealth in the upper classes, an increase of the luxuriousness of their habits, and of their means of enjoyment, which, however satisfactory it may be as affording evidence of the existence and abundance of one among the elements of national prosperity, yet adds bitterness to the reflections which are forced upon us by the distresses of the rest of our fellow countrymen; and, in this point of view, I cannot help thinking that the argument which the noble Lord has advanced upon the question of the Income-tax, are satisfactorily met by the fact that it is upon these accumulating riches that the weight of the impost chiefly rests. Next, with respect to the distresses of the shipping interest, to which the noble Lord has also referred. In general, the noble Lord has wisely confined himself to the county with which he is connected, and to the borough which he represents; but with respect to the state of the shipping interest, the noble Lord will not dispute that very peculiar circumstances have affected that interest. During the last year there was an almost total cessation of emigration to our Australian colonies, which provide no small amount of employment to the shipping of this country; during the last year there was likewise a great falling off in the importation of timber from North America, owing, as I am prepared to contend, by no means to the change which has been effected in the law with respect to the timber duties, but to the ruinous state of the market in the year 1841, when the prices became such, that the timber which was imported could not be sold but at a heavy loss. And I must also say, that in reference to the question of the shipping interest, the doctrine of over-production is by no means inapplicable. The noble Lord justly admits that at particular times and in particular places there may be such over production. In the case of the shipping interest, from 1838 to 1840 there was a very great, and I must say an unnatural increase of shipping. In 1838 there were 157,000 tons added by building to the general tonnage of the country. In 1839 the addition rose to 181,000 tons, in 1841 it rose to 211,000 tons—an increase of more than 25 per cent.; this augmentation took place in ship building in two years, which besides were not years of general prosperity. The rate of construction would have doubled itself in less than eight years, if the increase had continued in this ratio; but, further, though I have not the figures indicating the operations in particular ports, yet if I am not inaccurately informed a great portion of this speculation was connected in particular with the borough of Sunderland, which the noble Lord represents in this House, and of which he has to-night described the extreme depression. Now I will only give one word to the subject of the coal-tax. The noble Lord has said a few words upon this subject, but they were of a highly emphatic nature. He says that the coal duties have already fulfilled the worst anticipations which any man had ventured to pronounce with respect to their operation. They were voted by a very large majority of this House, and I should be sorry to think that the character which the noble Lord has given to them could be justified. The argument, however, which the Gentlemen opposite raised against these duties was that they must, to a great extent, cripple the export trade of this country in this particular article. But what are the facts? In the year 1841 the amount of exports was 1,842,000 tons; in 1842 it was 1,852,000 tons; by a very small amount, therefore, increasing the exports of the previous year. [Viscount *Howick*: That amount of exports includes the colonies.] It does, undoubtedly; but no Gentleman opposite doubted that taxation would have the effect of checking the rapid increase of our aggregate exports; and it was admitted that there would be some contraction of the exports to foreign countries. No man said otherwise. It was a choice of disadvantages. On the one hand, there was a revenue to be raised; on the other, there was an inconvenience to be suffered. The allegation was, that there would probably be such a great diminution in the exportation of coal as to frustrate the expectation of a revenue from that source; but, so far from a diminution taking place, there has been an actual increase which has raised the revenue to within a very few thousand pounds of the amount which my right hon. Friend expected to realise. Then the noble Lord went into another subject—I mean the prices of stock. It appeared to me, I confess, that the argument of the noble Lord at this part of his subject was both involved and dubious in its nature; and I am informed, in contradiction to his statements, and in conformity with the arguments which he used in a different sense, that the prices of stock are rising at this moment. With regard, next, to the arguments of the noble Lord, in reference to the state of the labouring classes at large, I differ but little from the noble Lord; at the same I venture to express the opinion in reference to the county of Lancashire—whether from temporary or permanent causes I dare not venture to pronounce—that employment in that county is not at the present time more, but rather less scanty than it has been for several years last past. Now I will refer to the subject of Savings-banks. I venture to say, if we find that at a particular time when there is great manufacturing distress, there is also a great pressure on the Savings-banks simultaneously with that distress, and if at another time, that pressure ceases, the conclusion may fairly be drawn that there is an improvement in the state of manufacturing industry and employment at the latter of these periods. Now, what are the facts with respect to the Savings-banks? In the autumn, during the strike there was a great withdrawal of funds; but in the winter they have been to a considerable extent replaced. I will take the time of three months commencing from the first of November, in the years 1840, 1841, and 1842; and I find that in those three months for the year 1840, the Savings-banks received 14,250*l*., and paid out 2,750*l*; in 1841 the amount received was 7,950*l*., the amount paid was 10,300*l*.; in 1842, the sum received was 22,100*l*., and there was paid out 3,200*l*. I am very far from saying that this affords an argument which is demonstrative in its character; but I say that it is an argument not wholly without weight as showing the present position of the southern part of the county of Lancaster. But the noble Lord, in one part of his speech, made a statement which is calculated, if it go forth to the world unanswered, to produce the most injurious effects. It was this—that the decrease in that branch of the revenue which goes under the name of the Excise, and which indicates most accurately the state of the people, with respect to their command of comforts, has fallen off by no less than one-fourth part in two years. The noble Lord took one of the quarters of 1840, and a corresponding quarter of 1842 in proof of this allegation. Now, I am very far from saying that the state of the revenue arising from exciseable articles is satisfactory; indeed, I must admit that the contrary is the fact. But the noble Lord is aware how much the Excise revenue depends upon the malt-tax, and that the malt-tax varies more according to the barley harvest than according to the prosperity or distress of the people: yet he took a quarter of 1840, in which the amount of malt-tax received was very large, and compared it with one of 1842, in which the amount of malt-tax received was very small. I am sure the noble Lord has no desire to exaggerate those evils with which we have to contend; and that he will be very glad if I am able to point out to him any instance in which his representation has been more unfavourable than the reality.

I admit, as the noble Lord has argued, that when great distress prevails in the country, the Parliament and her Majesty's Government are bound to devote themselves with most earnest and faithful attention to the consideration of any measures by which it shall appear that that distress may be relieved. But, before I go to the means which the noble Lord's argument would seem to point out, with a view to this object being attained, I must offer some observations on the nature of the proposal itself. What does that proposal amount to? Is the country in a state of appalling distress, and is the House simply to go into committee with no definite object in view—to embark on the vast sea of this almost boundless inquiry without a rudder and without a pilot? Can it be possible for the wit of man to adopt any proposition more calculated to defeat its own object—to defeat every useful purpose which this House could entertain? A committee of the whole House? A body so large and diversified to undertake such a function? For what? To consider the Corn-laws — the sugar duties—to undo all that was done last year? No such thing; but to consider at large the distress of the country. Who would believe that if this motion should succeed, it would do any good? Indeed, I am persuaded, when I come to consider what the motion is, that the noble Lord must have included, as a material element in the calculations with which he brought it forward, the certainty of its being rejected. But the mere inconvenience of giving effect to this proceeding is not my only objection to the motion. I object to its immediate, certain, practical consequences. Can anything be conceived more likely to operate with most pernicious effects, effects most of all pernicious in the present feverish and yet languid state of the commercial world, than our approaching the subject of commercial distress with the declared intention of seeking relief by changes in the law, and yet with no definition or limitation however general of those changes? This motion, and the argument of the Mover, is directed wholly upon one particular point. The noble Lord has stated a number of the causes of the distress. He has shown that it does not proceed from the currency, from the poor-laws, from the operation of the improvements in machinery, or from the selfishness of capitalists. In all these things I agree. But it proceeds from the commercial legislation of this House; and the noble Lord proposes, without making any declaration as to his object, either whether there is to be any given limitation of existing restriction, or whether any particular amount or rule of restriction shall be substituted for that which now exists, that the House shall resolve itself into a committee to consider all the interests which exist in this country, and in a manner which cannot fail to alarm all the hopes, all the fears, of the people engaged in industry and trade. Does not the noble Lord recollect the very marked expressions of his opinion of last year? Does he not recollect that he then among the foremost complained that all the existing relations of society were disturbed by the proceedings of this House? It is admitted that great stagnation of trade was produced by the discussions on the subject of the Tariff Act, and by the length of time which they of necessity occupied; and the people, so far from being encouraged by the movements of my right hon. Friend (Sir Robert Peel) in favour of the principle of free-trade, found that employment was no longer to be had, even in the same degree as before and that capital became more and more redundant. That was the effect which was produced at the time by the definite proposition of my right hon. Friend. My right hon. Friend did not go into the question generally what changes could be made; he laid a schedule on the Table of the House containing all his propositions in exact detail, and even this was found to be sufficient to disturb all the transactions, to alarm all the apprehensions of the country. But the noble Lord now proposes to renew this agitation; and with tenfold violence, because he does not think fit even to tell the House, in the most general form, for what propositions we are to look. I say then that on the ground of inconvenience and impracticability this motion must fail: I say that on the ground of the alarm which it would excite—of the mischief which it would create—on the ground that it is not only objectionable in itself, but that it would produce a consequence directly opposed to that which is desired by the noble Lord, it must be rejected by this House. The noble Lord proposes to take us into a committee for the purpose of increasing the demand for labour—for the purpose of extending the commerce of the country. I object to his motion, because I say the effect of the committee granted in the terms of this motion, and after the speech of the noble Lord, so far from producing the effect which he desires, would paralyse trade, would diminish the employment of the people, would aggravate the distresses which the noble Lord so deeply feels, and has so powerfully described. I must confess that it does appear to me, that—I do not say the Parliamentary course for the noble Lord to have taken, because his motion is strictly Parliamentary—but the natural course for him to have adopted, if he really had any practical object in view, would have been, if he believes there is a legislative remedy for the distresses of the people, to have proposed that remedy. Why, I ask, does he not make a specific and distinct proposition? We all know that the attention of the country, and more especially of that portion of the country which thinks that there should be an immediate change of our commercial laws, is most of all concentrated upon the Corn-laws. ["Hear, hear."] I have the cheers of the hon. Members for Stockport and Manchester; they and many other hon. Members as we well know consider that the question of the Corn-laws is, the main question; that in augmenting the distress of the people, whatever may proceed from other causes, the Corn-law is the chief offender. Why did not the noble Lord, who at this moment acknowledges the truth of this proposition by his cheer, bring forward a motion on this subject? At least, we should then have understood what we were debating about, but I profess that I do not now understand the subject of discussion in such a manner as to be able duly to address myself to it. The noble Lord says that the object of the Legislature should be to open new fields for the employment of capital and labour. I agree with the noble Lord. He says that there are artificial barriers and distinctions which prevent such employment; and when the noble Lord spoke of the simple means by which they might be removed, I confess that I believed for the time that the noble Lord had made up his mind to bring forward some corresponding proposition for effecting that removal Then says the noble Lord, we have laws passed for the express purpose of limiting our importations from abroad. We have; and one of the most important of those laws was passed last year, and was supported by the noble Lord. The Tariff Act involved and established a principle of protection. There is not an interest which is not protected by that act; and on behalf of some of them which were small, and of a particular character, considerable deviations in favour of additional protection were made from the general rules on which the measure was framed. But the noble Lord speaks of these barriers as if he had defined views in reference to them. He says, to my right hon. Friend at the head of the Government, "Do not halt between two opinions." Why, he himself does the very thing he denounces. He says "You have announced sound principles; go further, and do not halt between two opinions—go the whole way in that direction." The noble Lord himself halts between two opinions. The noble Lord instead of going the whole way, supporting entire freedom of trade, tells the House at least that he does not venture to say in what degree restrictions should be maintained or what amount of change should be made. Why, what then becomes of the whole speech of the noble Lord? It was a most able speech; far be it from me to speak of it in terms other than those of the greatest respect. It was a speech in its general terms aimed at the whole of the distress and calamity of which the noble Lord complains; but a more inconsistent speech I never heard here or elsewhere, because after alluding to the whole mass of our commercial restrictions as chargeable exclusively with the distress of the people, the noble Lord not only shrunk from proposing to remove what he had described as the cause of the evil, but intimated that he was prepared to continue some, and he did not say how many, of those restrictions which now exist. But while I am unable to discover any advantage which would be gained to the country by this motion, I must say that there are reasons—I do not know whether they operated on the mind of the noble Lord, which might possibly render this a convenient motion to come from the opposite side of the House. Of course I have no power to speak with authority, and I am certain of this, that the noble Lord, in bringing forward this motion, would on no account have surrendered what he believes to be the interests of truth and justice to any party, or any personal purpose. But I say, that this motion has an effect not inconvenient to noble Lords and right hon. Gentlemen opposite, and one which could be produced by none other at this period. It is now a matter of history, that last year when the noble Lord the Member for the City of London (Lord J. Russell) was determined to lead the attack on the Corn-laws, he arranged with those Gentlemen who sat on the benches behind him—I know not (to use the expression of the noble Lord who made this motion) whether they still call themselves his friends—that he should commence the movements of the Session with a proposition in favour of a fixed duty. That was the intention of the motion though the term was not introduced in it, and that was the tenor, and purport, and tendency of the debate. The debate on the fixed duty went off with considerable *éclat*, and the noble Lord mustered his whole strength; and all circumstances considered, a very respectable body it was, and he had a fair division. But what became of the hon. Member for Wolverhampton? The bloom was fairly taken off his motion. After he and all his friends had passed muster to swell the division in favour of the fixed duty, the debate on the total repeal of the Corn-laws took place, lagging in the rear of that on the fixed duty; the whole freshness of the subject was gone, the hon. Gentleman had little but mere dregs to present, and when the division came the minority was lamentably reduced, the noble Lord himself helping to increase the majority against them. It may have occurred to these Gentlemen, ardent as they are, (I trust I am not too bold in my speculations,) that this was a very disadvantageous position in which to place the great question of the total and immediate repeal of the Corn-laws, and they may, I think possibly, determine no longer to march in the rear of the noble Lord while he is waging his particular battles in which they have but secondary concern. Then, they might ask themselves, how could the voices of the whole party be united? It was clear that the movement in favour of a fixed duty could not be repeated; but here was a happy thought, a motion in approval of which all voices must be united. It was a motion for a general inquiry; there is something so satisfactory and so plausible in asking for an inquiry; it does not pledge any one to anything, and yet at the same time it testifies your interest in the condition of the people. Such are its recommendations, but I must say, they are dangerous recommendations; most dangerous recommendations if the House is to testify its interest in the condition of the people, and to manifest its compassion for their distresses, by means which, like the committee of the noble Lord would tend to increase those distresses and to aggravate the very evils that are complained of. Now, Sir, I have stated such views as occur to me, with reference to the proposition of going into a committee, for the purpose of entering upon a general consideration of the distress of the country, and which is a proposition unaccompanied by any intelligible suggestion of a remedy; and I must say that the objections to such a proceeding appear to me incapable of being answered, and amply sufficient to show that this inquiry could lead to no good and valuable result. So much for the actual motion; but I cannot overlook the speech by which it was introduced; and I confess I feel some difficulty in proceeding to consider the general arguments adduced by the noble Lord. The speech of the noble Lord, I think, was one which might as well have been made in the support of the Customs Bill of last year as of this motion, or which might with equal propriety have been spoken in support of any measure for the relaxation of commercial restrictions which has at any time been introduced. Am I then, to weary the House by discussing, in answer to that speech, the abstract opinions of the noble Lord, or am I to content myself with showing that the motion itself is objectionable, and so get rid of the question? The noble Lord would have no right to complain in such a case; but I think that the country and Parliament have a right to look, on such a question as this, for more, from those who hold office, than a mere objection to the form of proceeding of any hon. Member that it is not enough under the existing circumstances, even to establish valid objections to the substance of the proceeding—that the nation has a right to expect a positive declaration by the Members of the Government of the reasons which prove not only that the measure proposed is not such as the circumstances of the country require, but also that their own measures are those which the state of the country justifies and requires. Now, Sir, the question between the noble Lord and my right hon. Friend, it is manifest, is not whether restriction should be altogether removed, for upon that point they are agreed in the negative; it is not whether restriction should be relaxed with judgment from time to time, for there again they are agreed in the affirmative; and though much has been said with regard to my right hon. Friend broaching the doctrines of free-trade, I confess that I was not much struck by the novelty of those doctrines as falling from my right hon. Friend. Those doctrines, as the noble Lord says, are indisputable; the policy of the country has been founded for twenty-five years, upon the recognition of their validity. The whole question is what are judicious relaxations: but it is a question of time and circumstance in what degree the actual circumstances of the country will bear the application of these principles. I had thought the noble Lord was prepared to administer them undiluted, and I confess that I was disappointed when at last I found that the magnificent prelude with which he favoured the House was to close in so poor and meagre a proposition as this, that he was not prepared to say in what degree our existing restrictions should be relaxed. The question at issue then, is, what relaxation would be judicious, and how can the just principles of trade—the natural principles of exchange between man and man—be best applied to the circumstances of a country the legislation of which, for a course of ages in some cases, and for a considerable period of time in all cases, has been founded upon the very serious restriction and limitation of the application of those principles? My right hon. Friend at the head of the Government had last year proposed a measure with reference to the Customs' duties, with the same object in view which the noble Lord has now declared it to be his object to attain, namely, to effect an increase in the trade and commerce of the country. Merely to cheapen the price of provisions by foreign importation, will I apprehend be generally allowed to be in itself an object of secondary importance as compared to increasing the trade of the country, and the demand for the labour of the people. The noble Lord and hon. Gentlemen opposite surely do not wish to displace labour at home by the employment of labour abroad, but so to frame the legislative measures of this country as to obtain a great augmentation to the demand for British productions, and thereby not only to maintain labour at home, but at the same time to increase our commerce abroad. My right hon. Friend the First Lord of the Treasury intended and designed to pursue precisely the same object, and to attain it by increasing employment, by cheapening the prices of the articles of consumption, as also the raw materials of industry, by enlarging the means of our exchanges with foreign nations, and thereby causing an extension of the export trade; but, besides all this, if I have rightly understood the measure of the Government last year, it was proposed that the relaxations if possible in every case, should, practically be so limited as to cause no violent shock to existing industrial interests, as not to have the tendency of displacing that labour which is now beneficially employed, and which if displaced would be unable to find another field. As far as present experience has gone, I do not think any person will maintain in this House, that the proposition of last year has produced a great shock to any branch of our commercial industry, or has displaced English labour. As to the very depressed state of the prices of agricultural products I cannot for a moment think of ascribing that in any considerable degree to the direct operation of the measures of last Session. I cannot, indeed, whether here or elsewhere maintain, that they have produced more than a slight and scarcely perceptible effect on the prices of corn and of other agricultural commodities. But with regard to the Customs' Act, I do contend that it has, without any violent shock to British industry and trade, encouraged the import trade, by providing new means for our receiving in exchange the produce of foreign countries. The act, however, has been so short a time in operation, and under circumstances so unfavourable, that it would be very unjust either to condemn it for the smallness of its results, or to entertain exaggerated anticipations of its ultimate effects, or to speak in sanguine terms of those consequences which have already accrued. At the same time I think that to illustrate the effects of the tariff on various branches of trade facts might be stated, which would, under all the circumstances, be satisfactory to the House, and would show that its tendency has been, even in the short time of its operation, to give encouragement to the trade and employment to the labour of the country. I will not allude to this part of the subject at any length, but I must refer to some articles in the class of raw materials, of great though with one exception, secondary importance. With respect, for instance, to the change which was made in the law affecting timber, the result has been up to the present time, altogether satisfactory, though, undoubtedly, as the noble Lord stated, great mischief has arisen from the postponement of the date at which the alteration of the timber duties came into operation. I repeat, that the present state of the timber market demonstrates the satisfactory effects of the legislation of last Session. It is well known that the importarion of colonial timber for some time previous to 1842, had been so excessive, that twelve months ago that trade was subject to a state of the most serious depression; this depression was aggravated during the summer, and before the alteration took place the prices were such that, independent of duty, there was a large absolute loss to the importer. The object—one of the great objects of the change made last year—was, to give a stimulus to the trade in that commodity, and, although only four months has elapsed since that stimulus was given, the purpose has been as far as time would admit attained; for the prices of timber are at the present moment not only less depressed than they were before the change in the law, but have almost reached the point at which they stood twelve months ago; and I need not add that the increased return to the importer, or I should, perhaps, rather say his diminished loss, gives evidence of an augmented demand, and thereby of an encouragement of trade. In the month of February, 1842, the price of Quebec yellow pine averaged 15½*d.* per foot, on which the duty of 11*s.* 6*d.* per load, levied on a variety of cargoes, was equivalent to 3⅛*d.*, leaving about 12½*d.* per foot to the importer. In February, 1843, the price of Quebec yellow pine averaged 14½*d.* per foot, deducting from which the duty of 1*s.* per load and 5 per cent., left about 14¼*d.* per foot to the importer. Thus a very considerable change has been produced by the increased demand for the commodity, and within the last four months of 1842, during only two months and a half of which the new law has been in operation, the increase in the consumption has been calculated to amount to 15 per cent., as compared with the preceding eight months. I find also that there has been in like manner a considerable increase during the last six months of 1842, when the new law had come into operation in several articles of raw materials delivered for consumption. As compared with 1841, there has been an increase in the quantity of oak bark delivered for consumption to the extent of 133,000 cwt.; in hides, of 33,000 cwt.; in indigo, of 3,000 cwt.; in olive oil, of 4,200 tuns; in furniture woods, of 1,750 tons; in turpentine, of 114,000 cwt.; and in pearl and potashes, of 26,000 cwt. All this increase has occurred at a time of extreme depression, and it serves to raise the presumption that the diminution of duties made last year upon all these articles has had the effect of stimulating labour and the application of capital to trade in the commodities to which the diminution applied; and it therefore proves that the Government so far has not been inattentive to devising and carrying measures calculated to effect the purposes which the noble Lord proposes that we should now consider the means of effecting.

With respect to the law of last Session affecting corn, the noble Lord has not given any great prominence to that subject in the course of his speech, and I am unwilling, therefore, to enter upon a full discussion of that topic. Yet I am far, very far, from shrinking from the discussion of that question,—nay, I am anxious to invite the attention of the House to the operation of the act of last year; but I am unwilling to introduce into this debate a subject upon which the noble Lord who raised it has hardly touched. But at the same time he must observe, that the argument of the noble Lord was a general argument, and I scarcely knew how to deal fairly with the noble Lord, without illustrating my views by reference to the subject of our importation of corn generally. Though the motion of the noble Lord is vague, and may mean any-thing or nothing, still the real question at issue between us, which I cannot forget, is the continuance or the abrogation of the Corn-law; and at this point I must be justified in asking the noble Lord—supposing the noble Lord obtain the committee—supposing the House ready to abandon the Corn-law—by what arrangements would the Gentlemen opposite supersede it. Let the House remember what a variety of opinions exist on this subject among hon. Members on the other side. The noble Lord, the Member for the city of London and the leader of the Opposition has proposed to abolish the present Corn-law, and to substitute a fixed duty, which he has never called a small fixed duty, but a moderate fixed duty, such a fixed duty as would yield an efficient protection to agriculture, and this fixed duty of the noble Lord's invention is distinguished from all other fixed duties in this peculiarity — that it is continued without variation to a certain price, and then is abolished, it is a dead level up to a certain point, and then it suddenly vanishes altogether—it is in short, a table-land terminating in a precipice. It is hardly fair for me to criticise the plan of the noble Lord in his absence, because it has never to my knowledge found any defender in this House or elsewhere except the noble Lord himself; and indeed I must say, that the plan met with very sorry treatment at the hands of the noble Lord's political allies, some of whom told the noble Lord most unceremoniously that he had, by his proposition, got into a scrape, and that he must get out of it. The noble Lord again, who spoke to-night, has declared, on a former occasion, that he is in favour of a small fixed duty, while the noble Lord, the Member for Tiverton has repeatedly announced, that he is in favour of a fixed duty, not, however, for the purpose of protection, only for the purpose of revenue: but the noble Lord has never attempted to explain how a fixed duty levied upon an article from abroad which comes into competition with the same commodity of home growth, so long as the latter is untaxed, can possibly be any thing else than a protective duty. I cannot help thinking, however, that the noble Lord, in making such a proposal, would have great difficulty in meeting the objection which was put in answer to it by the hon. Member for Stockport, who remarked, that if the principle was good of laying a tax on foreign corn for the purpose of revenue, why not also tax the home corn, and cause a duty, or general excise, to be levied on it as it came from the mill? And it would be not a little curious to know how the noble Lord can reconcile his unlimited adoption of the principles of free-trade, and his utter denunciation of protection as an unqualified wrong, with his plan for levying a duty on foreign corn, although it is masked under the alluring name of a duty for revenue. But, generally speaking, the opponents of the Corn-law of last year were decidedly and irreconcileably at variance amongst themselves as to what they would substitute in its place, supposing that they should succeed in getting rid of the present law. Some were in favour of protection to the producer of corn, others were for the gradual relaxation of the law, and the progressive adoption of a low fixed duty, whilst others were for the entire and immediate removal of the Corn-laws.

Now, Sir, with respect to the last-named proposition, I cannot imagine on what principle you propose to refuse to the article of corn that which you have allowed to every other article of production. When I recollect the time and attention that was devoted to the subject of import duties last year, and after the House has acknowledged and re-affirmed by a new arrangement the general principle of protection as applicable both to landed produce, and to all other articles, it would be a most extraordinary proceeding if the House in the present Session should proceed to abrogate that principle as applied to corn. The British producer of corn possesses no peculiar advantages over the producers of other articles at home, or over the producers of corn abroad, and he has at least as great a right as any other class of persons to claim the protection of the Legislature. It is asked by the opponents of the Corn-law why, in dealing with corn, do you adopt a different principle from that which you act upon in the mode of levying a protective duty on all other commodities, and strangely enough it is proposed not to remove, but to reverse the anomaly by adopting a different principle for corn in a contrary sense, and refusing to corn what is allowed to every thing else? But with respect to the observation itself. Why, it is asked, do we not apply a fixed and certain duty to corn, instead of having a scale of duties varying according to the rise or fall of prices? Now, there is one particular answer to this observation, which appears to me to be of itself conclusive, although I admit it is conclusive only as a temporary answer. [*Cheers.*] If the noble Lord thinks, that he has any cause of triumph at the use of the epithet, he is welcome to it; but let him hear me out, and the noble Lord will find, that I have employed the word only with reference to one particular argument, not to the whole merits of the case, and that the scope of my proposition is much more narrow than he appears to suppose. The answer that I mean, to the argument that I have just mentioned is, the simple fact that the corn trade in this country has been dealt with, not merely for a series of years, but for a series of centuries, in a different manner from the trade in any other article. Hon. Gentlemen may quarrel with my allegation, and I admit that I do not think that the mere circumstance of existence of a law or a practice for a length of time, is a sufficient reason for its being perpetuated; but if objections be made, and even if their validity were acknowledged, even that would not, in my mind, justify immediate and violent changes. The article of corn, I repeat, has always been treated in this country by the Legislature differently from any other commodity. If we go back to the early period of the history of the corn trade in this country, it will be found that the law prohibited the exportation of corn when it rose beyond a certain price, and it on the other hand prohibited the importation of corn when the price fell below a certain point. From the Restoration, and still more from the Revolution to the year 1765, very stringent Corn-laws were enacted, and were in force, of the nature which I have just described. At the latter period, I admit, there was a practical relaxation of the law; but still the principle of protection was maintained in the form that it now exists. I apprehend that the general principle of Customs' duties was this, that a poundage was granted from time to time, but it was fixed and had no connection with changes of price, but the principle which has been acted upon for centuries with reference to the article of corn, has been to make the provisions of the law vary in some relation or other to the price in the market. In no other article, I believe, is this principle generally applied. For this reason alone, were there no other, especially when we consider the vast amount of capital applied to the cultivation of the land, and the great mass of labour engaged in it, if the immediate application of the general principle of Customs' duties be likely to cause a sudden and violent shock, we ought to hesitate and carefully examine and provide for consequences before we applied it, even if, for the sake of argument, it were generally admitted that the principle on which we have recently acted is not the wisest, and that it is one which would not now be applied, if we had only to deal with the matter for the first time.

The argument on which the noble Lord seems prepared to stake everything is this, that we should remove restrictions on foreign commerce, and this will lead to the removal of restrictions in foreign countries, and will lead to an immediate increase and beneficial exchange of your exports to the extent of your additional imports. On this part of the subject, the noble Lord was pleased to quote a passage from a speech of mine last year, in which I made a reference to the possible importation of 50,000 head of cattle. I am willing to make every concession to the noble Lord, and to allow to him without grudging all the advantage which he may be able to extract from that observation of mine. On the occasion adverted to by the noble Lord, I ventured to say—and I do not know whether the words quoted by the noble Lord were altogether accurate, but I have no desire to apply to them any material qualification; but I believe I said that the increase of our imports by the admission of foreign cattle, would produce either by direct, or by indirect means, and not at once, but in the course of time, a corresponding extension of our exports. I do not shrink from the avowal of this proposition; but still I think that according to the particular circumstances of each case, the adoption of the principle must be watched and guarded, and carefully adjusted by a careful consideration of those circumstances. The principle may be, and I think very safe with reference to the importation of 50,000 head of cattle, for there was no reason to apprehend that such an importation would produce the displacement of British labour; in such a case it might be well to trust to the operation, however slow and impeded it may be, of the natural laws of exchange between man and man, but it does not follow that the law on which the greatest masses of the labour of the country are probably, to a considerable degree, dependent, should be abandoned, and that upon a speculation of remote advantage, we should agree to the adoption of the unqualified propositions advanced by the noble Lord. The noble Lord said, that if the argument was good in the case of cattle, it was equally the case in regard to corn. I admit that it is so in the abstract. I freely admit that if you could afford to wait until an indefinite period, for the revolution of ages and circumstances, until you should realize the ultimate benefits which your trade might derive from more free and steady exchange with other countries, it might be wise to make the venture; but what is to occur in the interval of increased suffering and increased depression which must first occur? I do not shrink from the avowal of the principles that I have expressed; I do not evade the difficulties of the country in the existence of great distress at this moment, nor do I deny that an extension of employment is urgently required; but I contend, that we have no right to assume that a mitigation of that distress, an increase of that employment, would be procured by a repeal of the Corn-laws. On the contrary, the question is, whether the repeal of the Corn-laws would not displace a vast mass of capital and still greater mass of labour now employed in the cultivation of the land. As to the permanency of the law, if you go back so far as the year 1764, you will find that since that period there have not been less than twenty-five Corn-laws, and I do not know why you should wish, having always had mutable laws on this subject, heretofore, that you should all at once wish to contend for an absolute permanency in its form. The form of the Corn-laws has been changed from time to time, but substantially they have been intended and calculated under every form to afford protection to agriculture, regulated, or, at least intended to be regulated, according to the circumstances of the country and the cost of production of the article, and equally applied to the protection of the labour and capital employed in it. The principle of protection has hitherto been permanent, and I will not consent to abandon it while the principle is applied by our laws to the production of other articles. I do not say that I look for any abstract perfection in the present or in any other Corn-laws; but neither have we in dealing with other commodities last year aimed at abstract perfection irrespective of former proceedings. I do not make any peculiar claim on behalf of the land, when I contend that some regard should be had to the course of legislation heretofore and to the state of things which has arisen under it. For example, there is the case of timber. I recollect last year that nothing was thought more violent than the mode in which Government dealt with the timber duties, and my right hon. Friend was told that he had in a ruthless manner run the risk of sacrificing a large revenue, and had utterly ruined the North American interest. I refer to the timber duties as a case in which the duty was supposed to have been reduced to a very moderate amount. The duty is now 30*s.* a load, and is a fixed duty which does not rise or fall, and the amount is not less than 70 per cent. on the value of the article. If you take the maximum of the duty leviable on foreign corn when imported into this country, it will be found that it is never equal, or nearly equal, to the fixed duties at all times charged on timber. This is a duty which I apprehend upon abstract principles it would be quite as difficult to uphold as the corn duty; and not as regards the agricultural interest alone, but in every case before it is dealt with all the peculiar circumstances of the case must be regarded. The noble Lord quoted the opinion of Mr. Burke, with respect to the abstract question of protection; and I recollect that that eminent statesman, in another speech, gave quite as strong an opinion, to the effect that every statesman must endeavour to combine his regard to general principles with a careful estimate of the actual circumstances by which they are limited in their application. Mr. Burke said, that the statesman who refused to take circumstances into his view and consideration is not merely in error, he is mad—stark mad—metaphysically mad. Now, Sir, I spoke of the shock that would be inflicted on the agricultural interest of this country if any sudden and inconsiderate change of principle was adopted in legislating on the Corn-laws. I know that there are those who have tried to persuade the farmer, that, if by a change of the Corn-laws the price of corn should be lowered, yet the reduction would not affect him, as it would only cause a corresponding reduction in his rent. Now, I believe, that of the three classes interested in agricultural pursuits —namely, the owner of the land, the occupier, and the labourer, I believe that the first of these classes would be the least affected by a change in the Corn-laws, and is, therefore, now the least dependent on them. Such is the redundance of population in this country, that I am persuaded that whatever difficulties might occur at first in the payment of rent—that whatever might be the immediate effect of such a change as I have alluded to, it would in the long run be least felt by the landowner, and less by the occupier than by the labouring class. But would it be necessarily beneficial to our trade? Let us suppose that the proposition of the noble Lord should be adopted, and that you substitute for the present Corn-laws a law granting a low and scarcely sensible fixed duty. This would of course be done, with the view to an increase of our foreign trade. Now I will make an admission to the noble Lord—that if a change in the Corn-law were to take place, and if that change were to lead to an increased importation of foreign corn, and if that importation of foreign corn were to be paid for in British goods, it would be taking a most short sighted and narrow view of the interests of British agriculture to view that importation of foreign corn as so much displacement of British agricultural labour. Of course the first effect would be that it might reduce prices, but undoubtedly that reduction would contain within itself the causes of reaction: it would give a demand for the labour of those now unemployed, and thereby create a new class of independent consumers of agricultural produce; and further it would, by increasing the general demand for labour, raise the wages of those who now had low wages, and thereby enable them to consume more largely. More wheat, I cannot hesitate to admit, would be consumed in a state of comfort than in a state of poverty; and if such increase in the consumption of wheat were not sufficient to absorb the whole quantity added by the change in the law to the foreign importation, no doubt there would be a further increase of the demand for other articles of agricultural produce, especially such as are of a more perishable nature. I have not the least hesitation in admitting thus much, and I rejoice if the admission shall save the time of the House; it is a proposition which, as far as appears to me, cannot be disputed, and will not be disputed, as I think, by any person on this side of the House. But the question is this—are we without knowledge, upon a simple speculation, to assume that increase of trade which the noble Lord assumed, but which he had not endeavoured to demonstrate? That increase of trade may be indefinitely distant. Are we without increasing the aggregate of the means of employing the population, so to encourage the import of foreign corn as to displace the British labour now employed in agriculture? Are we to pursue such a course without either having taken measures to secure, or without having a rational and sure prospect of those results by which alone such a change in the law can be rendered either harmless or advisable? How are we at this moment circumstanced with regard to foreign countries? The three countries from which we chiefly derive corn are Russia, including Russian Poland, Germany, and America. What are the circumstances, our relations with those countries, with regard to the exportation of our goods? What tariffs have been imposed in those countries? and what effect have those tariffs had on the exportation of British goods? The complaint of the manufacturer of this country against the Corn-law is this,—that he gets from the British farmer a smaller return for his manufactured goods than he would obtain from the foreign farmer. Suppose that corn is one-fifth dearer in England than America, the manufacturer then says, "I give 100, and only get back 80." And he estimates, I assume, at 20 per cent. the tax which he considers that he pays for protection to the British agriculturist. He does not always take into consideration the manner in which the standard of prices at home for most articles was affected by the protective duties pervading our whole tariff; but he contends that he pays that amount as a tax to the British landlord. Suppose that to be true—grant, for argument's sake, the allegation, and suppose he sent his 100*l.* worth of goods to America, upon which in England he only got 80*l.*, when he got there he found he must pay 40*l.* as a tax to the American Government. The present tariff of America levies a tax which I fear I may very safely estimate as being upon the average above rather than under 40 per cent. *ad valorem.* What better is the British manufacturer, if he escapes paying 20 per cent. to British agriculture, and has to pay 40 per cent. to the American treasury? I know that there are arguments in the storehouses of political economy about the distribution of the precious metals and a course of circumstances tending to neutralize this derangement of the terms of exchange—remote causes, as I have said before, which would take a time such as I am not able to define to come into operation; but surely it would be a violation of a most sacred duty to watch over the interests of our countrymen if we were for such inducements as these—if upon speculations so vague and indeterminate we were to consent to sacrifice a certain source of employment for the population which, even if on abstract principles of economy not the most thrifty, yet is an employment which maintains millions of the population, and an employment which cannot be replaced by any sufficient substitute if a sudden change of the description proposed were to be made. Sir, I admit the difficulty of arguments in a subject-matter so complex; but I apprehend that under the circumstances, and in the case I have supposed, I am strictly correct in saying there would be no new labour set in motion by the manufactures of this country if foreign corn were admitted free, but what would be more than counterbalanced by the displacement of the labour of the British peasantry; there would be no extension given to trade; there would be no increase in the exportation of our goods to foreign parts beyond what was countervailed by the corresponding diminution at home; and that derangement of the home market is what I cannot reconcile it to myself to aid in bringing about when I consider how much of the comfort of the population, for whom the noble Lord feels so much, is dependent on the steady maintenance of the existing demand for industry. But perhaps the noble Lord will say that we ought to teach foreign countries what are the true principles of trade—we ought to trust that they will follow in our wake, and to give them indications of what we think right. My answer is that, in the most intelligible form, indications of that description were given in our tariff of last year. The greatest disposition has been manifested by this country and by Parliament to encourage and extend our commercial transactions with other nations. Having given these indications, are we to give more and more? Are we, without limit, without the consideration of the state of property and population in this country to proceed to all lengths in a career of that kind, utterly regardless of the policy of foreign nations? Are we to overlook, or to treat lightly the important fact that it is in the power of foreign countries to oppress the labourer of this country by restrictive and hostile tariffs? I am of opinion that the industry and energy of British labour and the enterprise of our capitalists and merchants will never fail in a fair and equal competition with other countries, and even that they may ultimately be able to break down the barriers of restriction that are now so commonly erected elsewhere; but when I look at the foreign tariffs of last year, I cannot shut my eyes nor refuse to acknowledge the detrimental effects which they have produced, and are still producing on British trade. Take, for instance, the case of France, and her recent ordinance with respect to linen yarns, and the case of Germany, and her restrictions imposed last year on the importation of mixed fabrics of woollen and cotton, when the duties in the Zollverein on certain descriptions was raised from thirty to fifty thalers the centner. With regard to the French ordinance, we congratulate ourselves, and in some respects with reason, that it has not produced the effects anticipated from it; but let us look seriously and impartially at the real results of that ordinance. It imposed an additional duty on the importation of linen yarns; that additional duty must be paid by somebody; it is in part paid by the French consumer, it is in part paid, perhaps, in premium to the smuggler, but it is also paid in great part by the manufacturer of the yarns in this country. By its effect his profits are diminished, and his power to pay wages was diminished. It is true that yarns continue to be made, but why? because people must live, because the operatives, from the abundance of the supply of labour as compared with the demand for it, must work for what their employers can afford to give. The French ordinance, therefore, with respect to linen yarns, has produced and must produce in the degree and sphere of its operation a detrimental effect to the population of this country. I will not go into any detail with respect to the operation of the tariff of Germany; but I apprehend that it is much the same. I understand that the increase of duties by the German tariff, which before the change were excessively high, and which are now enormously high, has not had the effect of stopping the exportations from this country; but still it has necessarily had the effect of diminishing profits and wages in this country, and has injured thereby our operative population. Then came the case of America, and the American tariff has undeniably produced a most unfavourable effect on the trade of this country. Th noble Lord spoke of the present depression of trade in the great manufacturing districts, but he did not allude to the cause of the stoppage of the demand from America, in consequence of the American tariff. No one can deny the great importance of that demand. When such are the commercial laws of America, are we prepared for the conclusion that we ought to abolish our own system, to open without limit our own markets, to displace our own labour in expectation of what America may hereafter be induced to do for us in the way of exchange? Are we to trust to the speculation that the inhabitants of our western states, the great corn-growing districts of America are divided in opinion from their fellow countrymen as to the present tariff, and will demand that it be altered? It may be so or not. The eastern states are for a high system of protective duties; the southern states are opposed to the tariff; the western states are divided in opinion with respect to it; some of the agricultural population wish to exchange their products with this country, but other portions of them are opposed to the democratic party, which is also the party friendly to free-trade, I believe on account of the course which that party has taken with respect to the question of the currency, and are friendly to the recent restrictions. We cannot calculate on all these matters, and the effect that our proceedings have on the minds of other nations; we cannot trust, if we judge from present indications, that they will do what we would have them do. But perhaps Gentlemen will say that the restrictive systems of other countries are to be traced to the restrictive system of this country. Have we then given to American produce no amelioration in our tariff? I believe that there is no one country on the face of the globe to which the changes of the last year in our tariff has been so extensively valuable as to the commerce of America. The great change made in our colonial system of duties is necessarily of peculiar, indeed, I might almost say of exclusive importance to America from its proximity to our colonies, and from the adaptation of its commodities to meet their wants. Again, America had a complaint against us which up to last year had been urged very strongly, and which had excited much ill feeling. The policy of our laws before the last year was to draw large portions of foreign produce from the producing country into our colonies by granting a *bonus*, in the shape of a diminution of the duty payable in this country when the article was imported from a colonial port instead of being brought direct. The effect of that policy was, that the carrying of the produce to this country became a part of our colonial trade, and foreign ships were prevented from taking part in it. Thus for example, large quantities of American timber were drawn to our North American ports, which could only be brought to this country in British ships, and the Americans said, and not I think altogether without justice, that this was a virtual counteraction of the reciprocity treaties, by which there ought to be free competition between the ships of the two countries, in the whole commerce carried on between them. That complaint was made the subject of a long argument in a committee of Congress last year, and the foundation for that complaint has been altogether removed. Then, there were other articles which I will mention very briefly, in which America is much interested, and on which the duties have been lowered. America has, generally speaking, as it is well known, exported large quantities of agricultural produce. Now, one of the most important of the classes of produce which she thus exports is that of salt provisions. With regard to this article, we had a market for it in two ways—a small market for our own internal consumption, and a considerable market for the supply of our shipping. With regard to our internal market, the duty upon this article has been much diminished, and with respect to the supply for the shipping in our ports the duty has been altogether taken away. That trade has been laid open to the Americans without any duty whatever, and it is a trade in one of their most important productions. The duties on many other articles also have been lowered which the Americans export; for instance, the duties on hides, rice, ashes, turpentine, and others; on all these articles the change of duty has been highly favourable to the American trade, and enlarged the power of that country to exchange its productions for ours. The duty on the importation of sperm oil has also been lowered, a measure which most beneficially affected the whale fisheries of the United States. It was considered one of the most decided among the measures taken by my right hon. Friend, and it was opposed by some hon. Members opposite, and amongst others by the noble Lord the Member for London. It is one which has opened a commerce from which foreigners were under the former law almost wholly excluded, and which will be exclusively to the benefit of America, among foreign countries, inasmuch as she carries on the whale fishery to a great extent, and with much success, and whatever surplus may be hereafter required over our own production we shall receive from the American traders by American vessels. It cannot, therefore, be said, that indications had not been given by this country to America of a disposition to extend the means of exchange between the two countries; and how have those indications been met? In the month of July the tariff became law in this country; and it was on the last day of the same month I believe, that America passed its tariff, increasing the duties on the importation of all articles of British produce, in such a degree as to render them in many important cases prohibitory duties. Sir, I very much regret to have detained the House so long; but when I considered the argument of the noble Lord I felt that I could not refrain from making this statement. The argument of the noble Lord, be it observed, is this:—"Do you give indications of a desire to enlarge commercial intercourse, and other countries will follow in your train." The answer I must make is that indications have been given of that desire. The return of foreign countries up to the present moment, so far from being in the line of relaxations, has been in the line of additional restriction. I trust and believe that we have yet too limited an experience to warrant us in forming a judgment of the course they will hereafter pursue. I trust and believe that the fallacies by which the American people have been deceived will be dispelled. But we surely must proceed with a due regard to our industry and interests both at home and abroad; and it would be absurd indeed if we were so to regulate our trade as to leave ourselves altogether at the mercy of the policy or of the impolicy of the countries with which we trade. I have therefore, dealt with the arguments of the noble Lord, not with reference to the present Corn Bill so much as with respect to the general question; and I have endeavoured to show that the noble Lord might have spared himself the trouble of advancing abstract principles, because the real question is one of time, circumstance, and degree. That view has been recognized in this country for the last twenty-five years by every Government which has successively held office; and there is no Minister who has held office during that period who has not introduced measures in the nature of relaxations of our commercial code. Indeed I must say, that the Government to which right hon. Gentlemen and noble Lords opposite belonged was, of all others, most slack in introducing such measures from the year 1835 until the memorable Session of 1841. Perhaps I have not upon the present occasion sufficiently explained my own views; and I only wish that the noble Lord had made a specific proposition, upon which a specific opinion might have been given. Dealing in generalities, the noble Lord has compelled me to be less specific and likewise from the imperfect nature of my own statements more liable to misapprehension than I should otherwise have been; but I may say, at least with respect to this general proposition for a committee of the whole House, that I have shown, or at least I have attempted with full conviction on my own part to show, that it is a proposition which would disturb all the existing relations of the country; and one than which—supposing it were agreed upon and adopted—nothing could be more difficult and inconvenient and practically useless. I cannot believe that the noble Lord sets any value upon the immediate motion; but if it be his intention to proceed to a repeal of the Corn-laws, or to the substitution for the present law of such a plan as he has himself recommended, I must contend that the noble Lord has made out no ground for the change, that the House must be governed in that, as in other commercial questions, by a fair estimate of conflicting claims and considerations, and that the change is one of which the benefits would be altogether remote and indefinite, while it would be attended with the most important and serious disasters, not less to the trading than to our agricultural interests, and the general industry of the country.

Mr. *Labouchere*: I can assure the House that I am well aware how difficult it will be for me to arrest its attention at this late period of the evening, and when it is exhausted by the length to which the debate has already run; but the question brought forward by my noble Friend is one of such infinite moment and importance in the existing state of the country, that I cannot justify myself by giving a silent vote on it. I have always entertained, in common with the entire body of the House, a very high opinion of the abilities of the right hon. Gentleman who has just sat down; I have always acknowledged that on any side of a question which he embraces and supports, he can argue with great ingenuity and force; but his speech to-night has convinced me further, that in one and the same speech, he has powers of arguing, with singular dexterity, on two totally opposite views of the same subject; for one part of his speech, which I listened to with the utmost satisfaction, appeared to me the best argument that could be advanced in support of the principles and motion of my noble Friend, which he rose to oppose. I am happy to see that the field of discussion between us is exceedingly narrowed by the admissions which have been made by the right hon. Gentleman. In the first place, we find that the appalling distress which my noble Friend has stated to exist in large and important portions of the country, is in no degree denied by the right hon. Gentleman; that he makes no attempt whatever to palliate or weaken the fact and effect of the statement. If then, this be so, indeed; if these painful and heartrending facts be facts universally admitted by the House, as well as by those out of the House, it becomes a serious, an all-important, an unavoidable question, what course it behoves the representatives of the people to pursue under such circumstances; and I was astonished to hear the right hon. Gentleman, after having deliberately stated to the House that he not only admitted the fact of the distress, but that it was right that Parliament should consider any means that might be suggested for alleviating that distress. I was astonished, I say, to hear him go on to state, that he objected to the motion of my noble Friend as opening a wide, vague, and useless field of dissension; and, as he expressed it, of embarking this House on a sea of discussion and agitation, without a pilot to guide them. I am quite ready to admit, that the pilot to whom the country have a right to look, when there is tempest and danger around and about it, is the chief Minister of the Crown, but let it be remembered, that my noble Friend did not invite the House to embark on this sea, without pilot, chart, or compass, as the right hon. Gentleman says, until after the chief Minister of the Crown, while admitting the alarming state of the country, stated that he had no measures to propose for the relief or alleviation of that distress. If that right hon. Baronet could justify it to his own sense of duty, in the station which he occupies, to make that declaration in the face of the House and of the country, it becomes those representatives of the people who feel that they have a duty to discharge, to step in and attempt to resue their country from peril, whatever be the consequences of such a declaration. When the regular pilot declares that he knows not which way the wind blows, nor how to steer the endangered ship, it is not improper even for a chance passenger to step in and attempt, as best he may, to guide the deserted helm. The objection made by the right hon. Gentleman to my noble Friend is, that he has not attempted to suggest what special measures ought to be proposed as a remedy for that of which he complains: that he merely indicates the general course of policy which he should pursue without laying before the House any specific measures. This is a very strange objection to proceed from the Gentlemen opposit We all remember that two years ago, when we sat on their side of the House and they on ours, how scornfully they rejected the idea of their suggesting any remedy for the evils of which they complained? Said they not? "What is a government for? What do you hold your offices for? What do you receive your salaries for? It is to you, in possession of official information, that we must look in the time of difficulty and danger for the measures which are to rescue us. Ours is the short, the easy, the simple task of opposing what you bring forward; and upon this principle, you then pertinaciously resisted measures which we had anxiously prepared, and we earnestly impressed upon you, as necessary to the public welfare, which every month since has convinced me would, if they had been allowed by you to be carried, have placed this country in a very different position from that which it now occupies. When the right hon. Baronet took office, he told the country that his mere advent to the Government would, of itself, be found sufficient to tranquillise men's minds, and settle trade and commerce upon a thoroughly solid and satisfactory basis; but I apprehend that by this time that pleasing delusion must have been dispelled. He added, however, that he should take time to consider what measures might be necessary. The right hon. Gentleman then brought forward his commercial measures of last Session. If I found that commercial prosperity was restored—if I found that manufacturing industry was relieved, and the condition of the country improved, I could understand the argument—"Wait a little longer—give the Ministers time, and by-and-by the Government will go further." But I must say, that the predictions which were then made on this side of the House, have been signally verified. We then stated that the measures were not large enough; that though they were good in principle, they were inadequate to the circumstances of the country. We said that they were tainted with partiality and injustice; that they dealt with a great variety of small interests, and did not deal with the great question of the Corn-laws effectually, and left the great sugar monopoly untouched. We never anticipated any very good results, and those which we anticipated we believed the Income-tax would render of little use. We never anticipated that the reduction made by the tariff would compensate for the Income-tax. The right hon. Gentleman, by-the-bye, in his speech made a curious admission, which I may notice. The right hon. Baronet at the head of the Government, said, when he brought forward the tariff, that it would enable the consumers generally to save the Income-tax, in the price of consumable commodities. But the right hon. Gentleman, the Vice-President of the Board of Trade, said to-night that the tariff has not lowered the price of commodities any assignable degree. The right hon. Gentleman might try, but he would find it rather difficult to reconcile the expectations formerly excited by the reduction of duties, with what, I have no doubt, with perfect fairness he has this night said. The right hon. Gentleman not having been very successful in pointing out any mistakes made by my noble Friend, or in finding arguments to oppose his motion, has endeavoured to excite disunion and dissension, among the Gentlemen on this side of the House. I cast my eyes on the opposite benches as the right hon. Gentlemen was speaking, and no great skill in physiognomy is required to be convinced that the faces of the Gentlemen opposite expressed anything rather than unanimity and satisfaction while they listened to the right hon. Gentleman's statements. Hon. Gentlemen must believe, from the right hon. Gentleman's statements, that an alteration in the present Corn-law was not impossible. Without saying anything of the law, I may say, that it is of the highest importance, whatever system of Corn-law we have, that it should be considered to have in it some degree of stability and permanence. But the language of the right hon. Gentleman is calculated to excite great alarm and dissatisfaction in his Friends, and in the country generally. They are alarmed lest the measure of last year may not be continued, and it is of great importance to the trading and farming interest that no doubt should exist on the subject. If I know anything of the feeling of the agriculturists, I should say that there is nothing of more importance than that they should be convinced that the laws which affect them can be depended on. The first Minister of the Crown has stated that the Corn-law is not to be altered this year, but he did not say that it might not be altered next year. And what said the right hon. Gentleman the Vice-President of the Board of Trade to-night—what was the language he held? The right hon. Gentleman said—or, if he did not say, allowed the House distinctly to understand—that his mind was made up on the impolicy of the sliding-scale. I heard these opinions without surprise, because I could not suppose that the right hon. Gentleman could be placed in a department in which he has to watch over the trade and manufactures of the country—indeed, I felt sure that the right hon. Gentleman could not fill his present situation, with his enlarged mind, and come to any other conclusion. The manner in which the right hon. Gentleman spoke of the sliding-scale convinced me that he is well aware of its injurious effects on the commerce of the country. I was glad to hear the right hon. Gentleman say, that the landed interest was not alone to consider the effects of the Corn-laws on themselves, but those laws must be looked at, like other laws affecting trade, in relation to the whole trade of the country. The only reason given by the right hon. Gentleman, however, for his advocacy of a departure from the general principle of which he approves was, that his answer was a "temporary answer." So it appears that the safety of British agriculture rests on a sliding-scale which is supported by a temporary argument? The right hon. Gentleman said, that the Corn-laws would not be altered this Session, but he would not say that they might not be altered in the revolution of circumstances and ages; but I should not be surprised if, not in the revolution of ages, but in the revolution of a very few Sessions, the right hon. Gentleman's opinions were carried into effect and became the law of the land. The right hon. Gentleman mentioned with a taunt a comparison between the former Government and the present. When we are discussing such a serious matter as the one now before the House, I am averse from referring to party differences, or to direct accusations against my opponents, and I only refer to what the right hon. Gentleman said, to repeat an answer I have before given to similar accusations when they were before urged. It is again said, that the late Government had not brought forward any free-trade measures, and that, in office, they had not shown themselves favourable to a free-trade policy. But I must remind the House, that my noble Friend, Lord Palmerston, when he was at the head of the Foreign-office, not only espoused free-trade principles, but he had the good fortune to conclude with foreign Governments several treaties which were favourable to our commerce and promoted our industry and manufactures. With regard to legislative measures, I think the right hon. Gentleman is mistaken. At least, I must remind him, and I must remind the House that, soon after the formation of Lord Grey's Government he brought forward a measure for altering the timber duties. I must remind the House, also, of the circumstance that the alteration then proposed resembled, I believe, a measure which had been entertained by the previous Government. Instead, however, of supporting Earl Grey's measure, the Gentlemen opposite, headed by the right hon. Gentleman, the Member for Tamworth, united all the persons opposed to the measure, and successfully resisted the measure of the Government. If we, the last Session, had followed the same course on the subject of cattle, and had united with no inconsiderable number of the right hon. Gentleman's supporters, I have no doubt the same success would have attended our exertions, and we should have defeated the right hon. Baronet on a point which he declared was the pivot and the hinge of all his commercial reforms. I have gone, perhaps, too far, in entering into these party differences, when so important a question is under discussion, compared to which all our disputes sink into utter insignificance. The distress of the country at the same time, and particularly the effect of that distress on consumption, has been so feelingly brought before the House, that I shall not be tempted to say much on this part of the subject; but there is one fact to which I must briefly ask the attention of the House—I allude to the consumption of sugar in the last year. That article affords one of the best tests I know of the power of consumption in the people. Last year, the price of sugar was lower than the year before, which makes the test more complete. The average price of sugar in 1841 was 38*s*., while the average price in 1842 was 34*s*.; sugar, therefore, should have increased in consumption as the price was lower. Notwithstanding this reduction in price, the consumption fell off from 270,000 hogsheads in 1841 to 261,000 hogsheads in 1842. There is no doubt that the diminution of consumption can be traced to our want of trade, for it had been greatest in our manufacturing districts. This was proved by the fact that the imports into London and other ports had increased, while the imports into Liverpool and Glasgow had diminished; the imports into Liverpool had fallen off very considerably, and at Glasgow the diminution of imports was 3,500 casks. That is a strong proof that the consumption of the country is decreasing, and that a great diminution has taken place in the consuming power of the people. Under these circumstances, I entreat the House to take the case into its serious consideration. I should be gratified if the right hon. Gentleman at the head of the Government would state the measures which in his judgment will relieve the distress of the country; but as he had not on the first night of the Session made any such declaration, and said, that under the circumstances he was not prepared to make any change, I hope and trust the House will declare its opinion that this Session shall not pass away without the Parliament devising some measure for the relief of the people. It is clear from what has fallen from the right hon. Gentleman the Vice-President of the Board of Trade, that he cannot deny that measures founded on the same principles as the tariff of last year, but of a larger and more comprehensive character, would have a powerful and beneficial effect on the commerce and interests of the country. I have no doubt the Ministers have good reasons—secret reasons—for not bringing forward any further measures; and I can find them, I think, in one sentence of the speech of the right hon. Gentleman. He said that all must depend on the degree in which the country will be brought to bear the application of further alterations. I agree with him. But the right hon. Gentleman omitted one word—and he should have said, the country gentlemen. I have read a little of what the country gentlemen have said, in various places, on the policy of the Government for some time past; and I think it was said, in an influential quarter, "We have already swallowed a great deal from the Government, but we are now determined that it shall not go any further." After reading this I can understand the reason for the Government not at present broaching further measures of commercial reform; and we shall have no further reforms till country gentlemen have made up their minds to permit them. Time in this question is everything. When markets are once lost they cannot be restored—when manufactures are once gone to decay they cannot be revived—good habits once broken down are not again to be renewed, and no question which can occupy the attention of Government and Parliament is so pressing and important as how to arrest the growth of these great and giant evils which are now threatening our commerce, and, perhaps, our very social existence. They are making awful strides through the country, and require the most serious attention. For my part, I think there is no question that so completely deserved the attention of the House as this; and inasmuch as the declaration of the Government has led me to the painful conclusion, that from them it is hopeless to expect those remedies which I believe might be devised, and the justice of the principles of which they themselves had admitted last Session, and again to-night through the Vice-president of the Board of Trade—seeing no hope from the declaration of the Government that those measures will be introduced by them, I shall best discharge my duty as a humble Member of the House, by voting for the motion of my hon. Friend, which will at least serve to register my protest against the inaction of a Government content to sit with folded arms while the great interests of the country are falling into ruin and confusion.

Mr. *Ferrand* moved that the debate be adjourned, in obedience to cries of " Go on, go on," he proceeded. He had moved the adjournment of the debate, because in discharging the duty which he owed, not only to himself, but to those who had sent him there, he would find it necessary to trouble them at some considerable length. After the speeches of the noble Member for Sunderland, and the right hon. Gentleman the Vice-President of the Board of Trade, he was sure the country would be firmly convinced that it was high time that the principles of free-trade were laid aside, and that they should return to the good old principles of their forefathers. Neither of them had attempted to grapple with the great question of what conduced to the prosperity of the agricultural, the commercial, and the labouring classes of the country. They had been given to understand that the measures of last Session were intended for the welfare of the working classes; but it was now admitted on all hands, that in no degree had they added to or in any way revived the commercial prosperity; it was high time for them to consider whether the time had not arrived when they should decide, not only on not going on further in the same course, but whether it would not be better for them to recede. The conclusion of the speech of the right hon. Gentleman proved that they were in a wrong course. He said that all the attempts to induce other countries to adopt the doctrines of free-trade had been failures;—nay, more, he told the House that America, instead of relaxing her laws, had imposed additional restrictions upon our trade. During the recess he had thought it his duty to inquire how far the measures of Government passed during the last Session had tended to increase the distress amongst the people, and from calculations which he had made at decennial periods from 1800 he found as follows. The hon. Member read the substance of the following paper:

		1800	1810	1820	1830	1840	1842
		l. s. d.	*l. s. d.*	*l. s. d.*	*l. s. d.*	*l. s. d.*	*l. s. d.*
Price of Wheat per Quarter		5 13 7	5 6 2	3 7 11	3 4 3	3 6 4	2 5 0
Hand-loom Weavers' Wages per week for weaving same amount of work:	Age.						
John Wilson	75	0 15 0	0 16 0	0 16 0	0 16 0	0 8 0	0 6 0
John Whitaker	65	0 15 0	0 17 0	1 0 0	0 15 0	0 8 0	0 6 0
Jonas Crowther	52	—	1 0 0	1 1 0	0 16 0	0 9 0	0 7 0
John Ward	39	—	—	0 19 0	0 15 0	0 7 0	0 6 0
Lot Brayshaw	71	0 18 0	0 17 0	0 18 0	0 16 0	0 5 0	0 6 0
Coombers' Wages per week for combing same work:							
Joshua Smith	64	1 1 0	0 19 0	0 19 0	1 0 0	0 9 0	0 6 0
John Hill	62	—	0 18 0	1 0 0	1 0 0	0 8 0	0 6 0
Thomas Bradley	29	—	—	—	0 18 0	0 10 0	0 8 0
John Rhodes	49	—	1 0 0	0 18 0	0 18 0	0 8 0	0 7 0
William Sedgewick	35	—	—	—	—	0 10 0	0 7 0
Number of prisoners in Wakefield House of Correction, York, (west riding), as returned by the Governor		670	499	2,169	2,620	3,563	4,430

In 1820 the price of wheat had fallen to 3*l*. 7*s*. 11*d*, but to show that this had no effect on wages, he was prepared to prove that they were at that period higher than before: the woolcomber was then receiving 19*s*.; but in 1830, when the Whigs first seized the reins of Government, when they came in professing the principles of peace, retrenchment, and reform, though they had involved the country in most unjust and disgraceful wars, and extended a system of the utmost extravagance throughout the land, and filled it with scandalous abuses at the time they entered office, while the country was in a state of prosperity—he repeated it, they found the country prosperous, contented, and happy; they found an overflowing treasury, with a safe and steady revenue, and they left both a bankrupt revenue and an empty exchequer; they thrust themselves upon the country, and by their misrule, when they were turned out of office, the wages of the weaver were reduced from 16*s*. to 8*s*., and the woolcomber suffered equally from their incapacity. Was the country prepared to take their measure after they were themselves driven from office by an indignant constituency? What was the conduct of the right hon. Baronet previous to that period? How was he spoken of by those connected with all the most valuable interests in the country? Why, at that time all of them joyfully hailed him as their leader. The present Premier had been lauded and toasted through England as the conservator of all its best interests, and during that period the right hon. Baronet had made a speech which had been published, corrected by himself, and in which he said,

> "The principle of total repeal of the Corn Laws I fully understand. It is a magnificent scheme for introducing into our intercourse with foreign nations the principle which ought to regulate the commerce of a great country certainly within its own boundaries, but which I doubt the possibility of applying beneficially to its external commerce, in a state of society so complicated, involving interests so enormous, and which have grown up" (the right hon. Baronet went on to say) "under a system of protection. I cannot relinquish that principle, which however theoretically defective has in practice allowed such an establishment of our power."

After this came the general election; and the great contest between the two parties had been between the rival principles of free trade and of restriction. This had been the question expressly brought before the electors of Yorkshire by Lord Morpeth; the handwriting was said to be on the wall, and it was for the electors of England to read it for or against protection. Thus it was that Sir R. Peel obtained office—pledged to protect the best interests of the country; but what had the right hon. Baronet done? He had attacked those interests by undermining them through the principles of free trade. The measures of the right hon. Baronet had given a great shock to the great interests of the country; and it was the duty of those who had pledged themselves in the most solemn manner to their constituents to stand firm to their promises. For himself he had avowed his resolution to regard no interests but those of his country, no motive but the general weal; and he would not—to support any party or any Government—adhere to those who did not stand by the principles which had placed them in power. Yet they had been told recently by the Premier, that "no one had made such extensive changes in the commercial policy of the country as he had done, and that he was convinced of the soundness of the principles on which he had acted." If that were so, how was it that the Vice-President of the Board of Trade had admitted that, so far as the measures of the Ministry had hitherto worked, at all events, their effect had been unfavourable to the various interests involved? Now, he wished just to advert to some opinions of Mr. Huskisson, which had been discovered by that statesman to be founded on errors of a similar nature to those which misled the present Government. The chairman of Lloyd's, Mr. Robinson, had lately published a pamphlet, in which was a passage ascribed to Mr. Huskisson to the affect that, if foreign countries saw us relieving public burthens, and exhibiting a prosperous exchequer, they might become sincere in their assertion and practice of free trade principles; the fact, however, was, that having acted on those principles we had instead of an overflowing exchequer an income-tax in time of peace. What, too, was the state of foreign countries at this moment? In a prominent paper, one of the ablest organs of free trade, appeared lately an account of not less than six hostile tariffs in ten months. Again, from the report of a most important committee on this subject appeared statements of a very momentous character as to the progress made by foreign countries in manufactures. The hon. Member proceeded to read extracts from the report of the import duties committee, to the effect that European manufacturers were successfully underselling ours in the markets of the world. The hon. Member having established to the House, by satisfactory evidence that foreign countries are not only manufacturing more goods than ourselves, but underselling us, it was his duty to call upon the Government to make a stand; but if the slightest movement be made it ought to be made again to those principles which had placed this country on so high a pinnacle of greatness as to justify the designation it once received of being the workshop of the whole world. It was not his intention, as he had previously stated, to enter then upon the consideration of the question of free trade; but there existed a party in this country which had a right to call upon this House to take up the question. The party he referred to was the masses—that class which had no voice in the representation—that class which did not possess the power of sending Members to that House. That class was now in a starving condition, and it became the duty of that House to take their present condition into its serious consideration. The working classes had been in a gradual state of decline for the last few years. The Anti-Corn Law League had mainly reduced the working classes to their present condition. He would call the attention of the House to the pamphlet of Mr. R. Greg, entitled

"An Inquiry into the State of the Manufacturing Population."

When speaking of the power-loom worker he observes,

"He has no time to be wise, no leisure to be good; he is sunken, debilitated, depressed, emasculated, unnerved for effort, incapable of virtue, unfit for everything but the regular, hopeless, desponding, degrading variety of laborious vegetation, or shameless intemperance."

Again, when alluding to the hand-loom weavers and combers, he (Mr. Greg) says,

"From constitution and from principle, averse from feeling or acting as alarmists, we are certain, in as far as reasoning from the past can make us certain of the future, that unless some cordial, faithful, vigorous, and united effort is made on the part of the influential classes to stem that torrent of suffering and corruption which is fast sweeping away the comfort and morals of so large a portion of our poorer countrymen, and which, if not checked, will soon send them forth upon the world desperate, reckless, ruined men—ruined both in their feelings and their fortunes,—unless some such effort is made, and that speedily, there are silent but mighty instruments at work, like an evil that walketh in darkness, which e'er long will undermine the system of social union, and burst asunder the silken bonds of amity which unite men to their kind."

In 1834 a select committee appointed

"To examine the petitions presented to the House from the hand-loom weavers, and to report their observations thereon,"

sat for the first time on the 16th of June. July 15, Mr. Thomas Myerscough, manufacturer of Bolton, was examined. He said,—

"I admit generally there is a good deal of distress in the country, and that the weaving body do look for some measure which will better their condition, by raising their wages, or at least prevent their being still more depressed than they are now, which depression is said to be to such a point that these men are in the greatest state of poverty, unhappiness, and discontent."

July 16, Mr. John Makin, manufacturer of Bolton, examined. He declared,—

"That the condition of the hand-loom weavers has deteriorated so much that it is in great danger of either extinguishing the trade altogether or of producing a rupture in society."

July 17, he declared, their food is chiefly oatmeal porridge and potatoes, with occasionally a small quantity of butcher's meat, which they obtain once a week.

"I have made a calculation, by which I estimate that if a man has to support himself, his wife, and five children, with the assistance of two children and his wife labouring with him, they will not be able to earn for food and clothing more than 2¾*d.* per day. I cannot recollect an instance, but one, where any weaver of mine has bought a new jacket for many years."

"Then they are literally clothed in rags? I am only sorry I did not bring one or two jackets, to let the committee see the average state in which they are clothed."

"I have seen many houses with only two or three legged stools, and some I have seen without a stool or chair, with only a tea chest to keep their clothes in, and to sit upon."

June 9th, 1834,—Mr. Edmund Ashworth, brother and partner of Mr. Henry Ashworth, who occupied the chair at the meeting of the League in Manchester, on the 1st of this month, thus addressed Mr. Chadwick, his letter being dated from Turton, near Bolton:—

"Full employment in every department was never more easily to be found than now, consequently wages have advanced in most operative employments, particularly so in the least skilful. Handloom weavers have been much wanted, and their wages advanced on an average 10 per cent. This bespeaks a scarcity of labourers here; at the same time great complaints are made of the surplus population of the agricultural counties. I am most anxious that every facility be given to the removal of labourers (by the New Poor-law Bill) from one county to another, according to the demand for labour; this would have a tendency to equalize wages, as well as prevent in a degree some of the turn-outs which have been of late so prevalent."

Sept. 17th, 1834.—R. H. Greg said,—

"It must be looked upon as a happy coincidence, that at the period of depriving or curtailing perhaps the facilities of gaining a livelihood to the people of one half of England, and causing a fall in their present low wages, and a scramble amongst them for employment, there should exist a difficulty in obtaining labourers at extravagant wages in these northern counties. This fortunate occurrence should be taken advantage of. Next year will unless some unforeseen accident occurs, be naturally a year of increase in our manufactures, buildings, &c., and should this prove the case, any further demand for labour would still further increase the unions, drunkenness, and high wages."

June 27th, 1834.—H. T. E. Ashworth said,—

"Nearly 20,000 persons would be required in the neighbourhood of one of our seats of manufactures alone—that of Staley-bridge."

He had drawn a melancholy picture of their condition. His opinion was, that unless some measures were speedily adopted by the influential classes some mighty evil would result. He also found that the manufacturers had, to a great extent, introduced the system of apprenticeship. At the Wilmslow Mills, in the city of Lancaster, the property of Mr. Gregg and partners, in 1837, that system was carried on with all its barbarities.

"The children were fetched from all parts of the country, and compelled to live in a house built for their accommodation; they were delivered up to the tender mercies of a governor and a matron, whose hearts were steeled against them, and they worked them as long and as severely as nature could endure and paid them no wages. Those children were collected from all the 'foundling hospitals' in the country: they knew nothing of their parentage, and had no protection from the tyranny practised on them. Two of them, both girls, of thirteen and fourteen years of age, heard of their parents; they applied for leave of absence to go and see their long lost earthly protectors; their request was refused. Their application was renewed at every pastime, such as the holydays of Christmas, &c., but every time rejected for upwards of two years, until at length they determined to run away, which they did at the Wilmslow 'wakes,' on which occasion it was the custom to stop the mills for two days: they found their parents, the one in Liverpool and the other in Manchester. They were poor, but still loved their children, and kept them a day longer than the wakes. On their return they were thrown into a cell by the orders of Mr. Gregg, and kept in solitary confinement for six days upon short allowance of food without a bed to lie on. During the time of their confinement the matron of the apprentice house died very suddenly and was laid out in the next room to these two children, who were almost driven frantic with fright."

He was prepared to prove all he asserted. They denied what he asserted last Session, but he called for a Committee of the House, obtained it, and proved every word he had said. He called upon the hon. Member for Manchester, who threw out a hint the other evening that he (Mr. Ferrand) had stated to the House what he could not prove, to say what that was; and he would again assert that he was prepared to substantiate, not by one witness only, but by many, what he had now stated. He would also produce evidence to show that the hours of labour in some of the cotton mills were excessive; and he now held in his hand the names of four persons who within the last three weeks had been compelled to work thirty-two hours with only thirteen and three quarter hours' rest. The excuse of the mill-owner was, that he had got an order which he was obliged to send out to China, and if he had not worked his labourers to that extent he would have lost several thousands of pounds. The hon. Gentleman also complained of the evils of machinery, and read some returns to show that since its introduction wages had diminished and the poor rates had increased. Those who were employed in the power-looms were chiefly women and children. The fathers were living in idleness, unable to obtain employment—living, he might say, on the murder of their own offspring, for it had been decided by the highest medical authorities that those young women and children could not continue to work at those power-looms without the sacrifice of their own lives. Women frequently worked at them up to the very time of their being delivered, and after having been away for a short time only, were compelled by their husbands who had become hardened by drunkenness, to return to their work for the purpose of earning them bread. The consequence was, that most of them came to a premature death, and were sacrificed to this baneful system. He would ask the House and the country to decide whether the time had not now arrived when this awful evil should be grappled with? He had the authority of several of those who called themselves free traders, for saying that it should. There was the hon. and learned Member for Bolton (Dr. Bowring), and by the way that hon. and learned Member had lately turned poet. He assured the House that it was true. He had written some lines for circulation or sale at the Anti-Corn Law Bazaar as it was called, though he feared their more immediate object was to excite the working classes into rebellion. He would not take up the time of the House by reading the lines in question. ["*Read, read,*"] Read! oh, certainly if the House wished it. The lines were headed—"Died of Starvation. — Coroner's Inquest." And certainly they were not inappropriate to the subject he had brought under notice. The hon. Member then read as follows:

"I met Famine on my way
Prowling for her human prey,
Clogg'd with filth and clad in rags,
Ugliest of all ugly hags.
Lo! a sceptre wreath'd of snakes
In her withered hand she shakes,
And I heard the hag proclaim,
'Bread Tax is my sceptre's name.'

[Bread Tax! said the hon. Member, I would say—

Power-loom is my sceptre's name.]

(Laughter.)

On remorseless mission bent,
Maiming, murdering as she went,
Spreading death from street to street,
Oh! I hear the hag repeat,
(Shuddering while I heard and saw)
Mine is RIGHT and MIGHT and LAW!
Then to solitude I flew,
Gracious Heav'n! can this be true?
On my trembling knees I fell,
God! thou God of mercy! tell,—
Can the very fiends of hell
In Thy name their pandects draw,
And declare their licence law?
Dare they, in Thy Holy sight,
To proclaim their robb'ry right?
Rouse Thee, raise Thine awful rod,
Lord,—how long? How long,—O God?"

These were the hon. Member for Bolton's versicles, and let him ask was he wrong in saying that they were most applicable to the condition of the people as caused by the power-loom—that instrument with regard to which the writer of the lines had himself declared that "the power-loom must cause the people to die of hunger." He thought he had now stated enough to justify inquiry. If the right hon. Baronet was not prepared to inquire into the effect of machinery upon the working classes, had he any remedy to propose for the evils they suffered from it? He would put the question to the vote, and so test the sincerity of those promises that were made by Members on both sides of the House at the hustings, when they assured the working classes that although they were denied a voice in the election of representatives Parliament would care for their interests. The late outbreaks had, he was prepared to affirm, originated with the Anti-Corn Law League. If an inquiry were gone into, he would be prepared with evidence to prove that those outbreaks originated with the League. The League themselves ought to court an inquiry, and the Government, in justice to all classes, should institute it. If such an inquiry were ordered, and the working classes came before Parliament in all their misery and wretchedness he hoped the House would be able to afford them redress. The hon. Member concluded by moving as an amendment:—

"That this House do resolve itself into a committee of the whole House, to consider so much of her Majesty's Speech as refers to 'that depression of the manufacturing industry of the country which has so long prevailed, and which her Majesty has so deeply lamented;' and also to inquire into the effects of machinery upon the moral and physical condition of the industrious classes:—And also, to inquire into the origin of the late outbreaks, which are thus alluded to in her Majesty's Speech: 'Her Majesty regrets that in the course of last year the public peace in some of the manufacturing districts was seriously disturbed and the lives and property of her Majesty's subjects were endangered by tumultuous assemblages and acts of open violence.'"

The amendment having been seconded, the debate was adjourned.

House adjourned at 1 o'clock.

HOUSE OF LORDS,

Tuesday, February 14, 1843.

Minutes.] Bill. *Private.*—2ª· Samwell's Name.

Petitions Presented. By Lord Willoughby D'Eresby, from Cerrigdruidion, Saint Germans, and Pentrevoelas, from the united Parishes of Trefriw, and Llanrhychwyn, and from Landowners of Caer-hûn, for Repeal of 6 and 7 Will. 4th, c. 77, so far as concerns the Union of the Sees of Bangor and St. Asaph.

China—Thanks to the Army and Navy.] The Duke of *Wellington:* In pursuance of the notice which I gave to your Lordships on the first day of the Session, I proceed now to ask your Lordships to express your approbation of the services of her Majesty's fleet and army employed in the late operations in China. I am perfectly sensible of the importance of the duty which I call upon your Lordships to perform. Her Majesty has been pleased to declare her approbation of the services of her fleet and army: her Majesty has distinguished both services by marks of her gracious favour, and has adopted other measures to signify her approbation of them; and my proposition is, that your Lordships taking into consideration the nature of the services performed by the fleet and army—taking into consideration their value and importance at the moment at which they were rendered—should support her Majesty in the applause which she has expressed; and by pursuing that course your Lordships will, I trust, excite and stimulate others of our countrymen, in all future times, to emulate those whose services I am about to bring under your consideration. In performing the duty that devolves upon me on this occasion, I shall carefully avoid adverting to any topic, or alluding to any subject, which can give rise to any feeling but that which I am desirous should exist among your Lordships—namely, admiration of the services which I am about to detail to you. It will be necessary for me to advert to certain historical facts, in order to render clear the exposition of the services of the fleet and army which I am about to make to you; but I shall advert to them only as facts, having no intention to blame anything—and, indeed, there is no reason that I know of to blame anything. Certain it is that I have no intention to blame anything that has passed; and, as I have already said, I shall refer to what has passed merely as historical facts, to render clear what I am about to address to your Lordships on the subject of the services performed by her Majesty's navy and army. Your Lordships are aware that in 1839, after a discussion upon the events which had taken place in China, war was declared with that country, and orders were given to blockade the Chinese ports, and carry on certain other hostile proceedings against that empire. Those measures were carried into execution as early as the month of June, 1839. At that period Canton was blockaded, and hostilities were further prosecuted by the capture of the island of Chusan. The fort of Amoy, also, was blockaded, and certain operations were carried on in that harbour by a small detachment of the fleet under Admiral Elliot, who was in his own ship, and who afterwards joined the rest of the fleet and the army at Chusan. In a short time the admiral, according to the instructions which he had received to act as joint plenipotentiary with Captain Elliot, proceeded to Pa, on the Pei-ho, which he reconnoitred; and, having communicated with the Chinese authorities at Tien-ling, on the river Pei-ho, commenced there negotiations for peace. The negotiations thus commenced were subsequently continued at Chusan. Negotiations for a cessation of hostilities were also carried on at Ningpo; but subsequently the negotiations for a treaty of peace were removed from the northern part of China—from the Pei-ho, Chusan, and Ningpo, to Canton. On arriving at Canton, the Chinese commissioner appeared to be not so willing as before to conclude a treaty of peace: the admiral being, unfortunately, taken ill, was rendered incapable of remaining longer on service, and quitted the station. The command of the fleet then devolved upon Sir Gordon Bremer, who carried on the naval operations, whilst the negotiations continued to be conducted by Captain Elliot. From various circumstances, it was discovered that the Chinese were not serious in the desire of making peace on the terms proposed and required by her Majesty's plenipotentiary, and in the course of the communications and discussions which took place, a British vessel was fired into from a fort which ought not to have been occupied; and it was subsequently discovered that the whole of the forts on the Canton river, which it had been previously settled were not to be occupied, were armed and occupied. The negotiations were continued, but they certainly did not make much progress: different periods were fixed, at which communications were to be held and answers received; but no communications were had, and no answers were received, and at length it was found to be absolutely necessary to suspend negotiations and recommence hostilities. Accordingly the commodore, the commanding officer of the fleet, immediately determined to attack the forts in Canton river, particularly those which protected the entrance to Whampoa. Among other promises made by the Chinese, and not performed, was one for the opening of trade at a particular period. In the mean time large bodies of troops were being collected, and it was found that Tartar generals and Tartar commissioners were coming down for the ostensible purpose of treating for peace, but for the real purpose of war. Under these circumstances the commodore determined immediately to attack the forts on the Canton river, and to obtain possession of them. He did so. He consulted with the military commanding officer on the spot respecting the assistance to be afforded by the army, and by the cordial co-operation of the two services, of which many examples were afterwards given in the prosecution of the war, the army being landed on the flank or rear of the works attacked in front by the fleet, and by the accurate posting of every vessel of the fleet, all the forts were carried almost without loss, the army having entered the forts by the rear at the same time that the navy carried them in front. It is from this operation I propose to date the accounts to which I shall call your Lordships' attention. I do not mean to say that the operations to which I have already adverted—namely, the attack on Chusan, the blockade of Amoy, and the attack upon the vessels in that harbour, were not all highly meritorious; but there is this distinction between them and the operations subsequently carried on—namely, that they took place during a time when negotiations were pending. In what I am about to address to your Lordships I shall, therefore, confine myself to the operations which took place after the breaking off of negotiations in the month of January, 1841. The capture of the forts made an impression on the Chinese negotiators, and they again desired to commence negotiations. Under the treaty of peace which had previously been concluded, her Majesty was to obtain possession of the island of Hong Kong, and it was deemed expedient still to insist upon that, although the treaty had not been actually signed. The commissioner on the part of her Majesty having desired the admiral to take possession of Hong Kong, he entered into an agreement, that in case the island were given up, the forts which had been taken should be restored to the Chinese. Still the negotiations did not advance. The Chinese commissioner never actually met the plenipotentiary of her Majesty to sign conjointly the treaty of peace. It was known that a large Tartar army was assembling at Canton; and in this state of things it was considered necessary to recommence hostilities, to attack all the forts and batteries, and to take possession of Canton. A suspension of hostilities was again agreed upon, in consequence of the Chinese undertaking to pay a sum of money as ransom for Canton. Thus affairs stood at that time. The treaty which had been agreed upon was considered as concluded; that is to say, it was really signed; but I do not believe that any of the conditions were carried into execution, except that which related to the occupation of Hong Kong by the Queen's troops, and certain of the forts by the Chinese troops, upon condition that they should not again be armed. Things remained in this state until towards the 20th of May, at which period large bodies of Chinese troops continued to assemble in the neighbourhood of Canton, and threats were held out of an intention to recommence hostilities. It was also ascertained that some of the batteries and towers on the river had been armed, in contravention of the arrangement entered into, and that attacks had been made upon her Majesty's vessels and British merchant vessels by five boats, from which the British vessels were protected by the activity of some small craft attached to the fleet. At this time Sir Hugh Gough joined the army, and the commodore and he having reconnoitred the coast of the river, and the disposition of the Chinese army on the heights beyond Canton, determined on a plan of joint attack, which was carried into execution in a manner worthy of your

Lordships' approbation. The position of the enemy was well examined and ascertained, and a plan was formed for a conjoint attack on the several fortified posts on the river by the fleet, and upon the position of the enemy on the heights beyond Canton by the army. The army was landed at the place appointed for the commencement of its operations, whence they advanced and attacked the formidable position of the enemy, defended by the works of the town, and by a large number of Tartar troops, besides the garrison of the town, in a camp upon the heights. Here commenced a series of operations which were really quite surprising, and of which I believe there is no example in the military and naval history of this country or any other. Our fleet and army have been manœuvring on the rivers and coasts of China, and defending themselves against large bodies of the enemy in the field; and at the same time attacking fortified positions, some of which were deserving the name of citadels, and they have performed these manœuvres with the utmost facility and with uniform success; and they have done this, my Lords, how? By the activity, energy, and zeal of the officers, petty officers, and seamen of the navy, in marking out the spots at which the large ships were to take their station with a view to the operations to be carried on, and to enable the admiral and the general to combine these operations. We have seen the fleet attacking strong forts, built of masonry, and well provided with ordnance, whilst the army, being landed at a spot previously agreed upon, has assisted the fleet in its operations, and the success of their combined efforts has been uniform, and, I must say, wonderful. The attack upon Canton was the first instance of these operations being carried on upon a large scale, in front of a force superior to ours. Our troops would have entered into Canton if it had not been thought expedient to suspend hostilities upon condition of receiving another ransom, and to protect the town from the consequences of being stormed at that moment. As I said before, I have no blame to bestow upon that proceeding. The troops then embarked, and took up a position again at Hong Kong. I have gone a little into detail with respect to these operations, because they were the first of a series of similar operations which were carried on with the cordial understanding and co-operation of the two gallant officers, Si Hugh Gough and Sir H. Senhouse Shortly after the performance of this feat, the fleet sailed from Hong Kong, and the first operation which they undertook was the attack upon Amoy. They proceeded then, and examined the port, and having found that the island of Koo-lang-soo formed one side of it, the admiral and general, in the manner before pointed out, having well considered the position of the enemy, and the nature of the works to be attacked, and the position of the troops opposed to them, agreed that the troops should be landed at Koo-lang-soo, and should proceed, some of them to attack the works on that island, and others to attack those in the neighbourhood of the town of Amoy. My Lords, the ground was sounded, the danger exactly ascertained, and here, again, our forces performed one of those manœuvres which I have endeavoured to describe to your Lordships. The general immediately got possession of the island of Koo-lang-soo, and forthwith directed his attention to the support of the position which the fleet took up at Amoy; and they were successful, as they had been before, and as they have since been in many other cases. They occupied the island of Koo-lang-soo, left there a garrison, and sailed for Chusan. At Chusan they found the works vastly increased and improved since their previous occupation in the preceding year. Indeed, it is curious enough that the Chinese had carried into execution some of the measures which the British engineers had proposed to adopt in the preceding year, in order to strengthen the island of Chusan, then in their possession. Notwithstanding the strength of these works, and the increased strength of their position, afforded by enormous batteries of masonry, the operations of the fleet and army, by the adoption of the same system, had the same result. The troops were landed in the position agreed on by general and admiral, the ships took up their stations opposite particular parts of the works, and the attack succeeded in a most extraordinarily short space of time. In short, my Lords, this just shows what a fleet and army can do when united, and acting cordially in support of each other, under officers who think they best perform their duties in considering the whole operations to be carried into effect—the situations which each force should occupy during those operations, and taking care that the intended plans should be put in execution by the troops exactly as they were first intended. This it was that was done, and, as usual, the place fell into their possession. From Chusan they went to attack the forts and arsenal on the left of the Ningpo-river, and they found them situated on a height, being fully garrisoned, in the highest state of order and preservation, being one of the principal arsenals of the country. There was a large body of troops on the other side of this fortified position, destined to co-operate in its defence; and yet, my Lords, of this position our forces got possession as easily as they did of Koo-lang-soo, Amoy, and Chusan. If you will give me leave, I shall dwell for a moment on the really curious circumstances under which the arsenal of Chinhai was attacked. The enemy had an army stronger than ours, in a position to assist the garrison, and destined ultimately to protect Ningpo. The general and admiral carried on concerted operations. They agreed to land the army on the right of the river, while the fort was attacked by the navy in its sea front. And it is a strange circumstance attending this attack, that in order to ascertain exactly the danger of the topographical situations in which the operations should be carried on, the ship which made the greatest attack on the citadel, anchored in water scarcely deeper than would float her. My Lords, the general attacked with the troops, and carried everything before him, the fortified outworks and the garrison within, and he was soon enabled to assist the force which was attacking it from the sea. The admiral stormed the citadel, and the ships' crews, as soon as the breaches were made, saw on the other side those who were proceeding to their support, and in an astonishingly short space of time this citadel, notwithstanding two or three explosions, which took place by accident while the operations were going on, was in possession of the fleet and army. The troops were embarked, and sent up to the great city of Ningpo, into which they entered without opposition. Now, here was another instance of the advantage derived from the co-operation of the fleet and the army. The army was aided by the steamers and smaller vessels in their attack on the enemy's troops, while, on the other hand, the troops aided the navy in their attack on the citadel as soon as the breach was made. My Lords, some disturbances took place after obtaining the occupation of Ningpo. Notwithstanding that the troops conducted themselves greatly to the satisfaction of the inhabitants. It appeared that the people of this large town, thought it might be practicable to get the better of them, and the soldiers from the Chinese army, encamped at no great distance, found their way into the town in disguise, having, perhaps, heard of similar proceedings in this part of the world. On the 9th or 10th of March an attack was made not only on the town of Ningpo, but on the citadel. I am happy to say, however, that attempt completely failed, and I have observed, with the greatest satisfaction, the measures which were adopted to bring about its failure. I can't avoid expressing my admiration of the activity and energy of the officers who adopted those measures with entire success—particularly of the subaltern and those of the next rank. They manifested discretion, firmness, and courage under the circumstances in which they were placed, and frustrated all the attacks which were made; so that before morning the place was as securely in their possession as it had been the previous night. The enemy retired, and took refuge in the country some miles above Ningpo. And thither the general, in concert with the admiral, thought proper to follow them, with a view of making an attack. My Lords, they did attack them. The general, by his courage and that of his troops, aided by the seamen and marines, carried a most formidable fortified position against the best Tartar troops of the empire, and in that attack his gallant brother in arms, the admiral, at the head of his seamen and marines, charged in support of the troops into the enemy's camp, which they took possession of and occupied that night. This is another and a most remarkable instance of the cordial co-operation between the two commanders and the two services—a co-operation which must insure, on every similar occasion, the success which attended those operations. My Lords, there can be no doubt that the operations of this war were exceedingly difficult. Little was known of China except its enormous population, its great extent, and its immense resources; but we knew nothing of the social life of that country; we knew nothing more of its communications than a scanty acquaintance with its rivers and canals, and whether their roads ran along rivers, or in any other way, nobody in this country could give any information, nor could any be acquired. We felt, as everybody must have felt, that it was absolutely necessary, after so many years of negotiation, to carry the war into the heart of the country, in order to make an impression on a people who had manifested so little disposition to render justice, and to come to reasonable terms of peace. The question was as to the mode of doing it; and considering the complete ignorance which we and all mankind were in, with respect to the communications of the country—the difficulties, natural and artificial, which we had to contend with; besides the immense distance from our country at which the operations must be carried on—we naturally look to the results; and, I must say, there is no individual, however sanguine, who could have expected such success as has been produced by the cordial co-operation of the admiral commanding the fleet, and the general commanding the army, and (following their example) of the officers and men in both services. My Lords, as I said, it was determined to carry the war into the heart of the country, it having been confined, up to the period I have alluded to, to the coasts and islands. The first attack was made on the city of Chapoo. This was supposed to be a place of great importance. The commanders co-operated in precisely the same manner as they had hitherto done; they carried on conjoint operations after previous examination; and after having ascertained the difficulties they had to overcome, they provided for the occasion, ascertaining the depth of the water and all the other circumstances calculated to ensure success. The place, like the others, was taken by the army attacking in the rear and by the fleet in front, supported by the small craft and steamers. Having carried this place, they turned their attention to operations on the Wosung. This is a river which falls into the Yang-tse-keang, on the right bank, and it appears to run nearly parallel to a canal, rather tending towards a coast than otherwise. The general having at this time been joined (through means of the fleet) by artillery and horses, sent from India by the Governor of Fort St. George, landed some men near the river Yang-tse-keang, who marched across it and attacked one of the forts, while another attack was made in front. The forts on the Wosung were carried by operations similar to those I have already described. The fleet and army having been posted exactly in the places fixed upon, pursued the course pointed out for each, provision being made for the due performance of the duty allotted to each. All these attacks succeeded as the others had done before them, and the forces, having thus gained a position in the forts of Wosung, were enabled to enter the Yang-tse-keang, and to proceed in a body up that great river, for the purpose of carrying on operations at the point fixed upon—namely, at the junction of the great Imperial Canal with the Yang-tse-keang. After considerable difficulty and some loss, this position was carried, as the others had been, by the joint operations of the two services. The Tartar troops were completely subdued, and this place came into the possession of her Majesty's troops. The general and admiral then determined to pursue their success by proceeding to Nanking, and to carry on operations in the same manner against that place, should they not prevail upon the enemy to come to terms of peace. Accordingly, they proceeded up the river and examined the localities as usual, with the view to attack. By this time our mode of proceeding was known by the enemy, and they soon perceived what our forces were about. However, our commanders made like preparations to the preceding, and landed the troops, so as to be enabled to make an attack. The enemy then surrendered, and offered to agree to the proposed terms of peace. My Lords, this peace was signed, and has been confirmed, and although it has not been formally ratified, and therefore not laid before your Lordships, it is already made known to the public. My Lords, considering the energy, ability, prudence, and fortitude with which those operations were carried on, their uniform success, and the honour which resulted to her Majesty's army, the advantages which must accrue to the country from this early peace, and the probably greater advantage which must result from our future commercial intercourse being placed on a better footing with this great empire, I do hope your Lordships will agree unanimously to the vote of thanks I mean to submit to you. My Lords, I have the satisfaction of being able to add to this statement that I have every reason to believe that those engaged in this service displayed uncommon proofs of discipline and good order—I mean, of course, both fleet and army. I have read several accounts of the sobriety which they observed, avoiding that great temptation in war the use of spirituous liquors, and I have heard and read with great satisfaction that they treated their enemies on all occasions with the utmost humanity, so much so, that I understand the feeling in China was " these barbarians (as they called us) are our best friends, and we cannot look upon them as enemies." My Lords, it is under these circumstances that, considering the difficulty of these operations, their uniform success, and the small loss which accrued, I trust I shall draw from you an unanimous expression of approbation. They whose names I shall have the honour to propose to you, according to the usual practice, are the admiral and general who commanded, the general who served under the former, but not to the admiral in a similar position, as there was no admiral under the command of Admiral Parker. There was another admiral connected with the fleet, Sir T. Cochrane. He was, at the time of these operations, at the mouth of the Canton river, and frequently expressed a wish to be engaged in more active operations, but the admiral found himself under the necessity of detaining him in what he conceived an important position. Under these circumstances I regret I cannot, according to the usual practice, insert Sir T. Cochrane's name in this vote of thanks. I should have been happy, had it been the practice, to have mentioned all the names of the gallant officers of the other ranks who distinguished themselves in the course of these operations. But, my Lords, the *Gazette* contains them, and I entreat you to read them, as well as to examine those operations with attention. They are worthy of the especial attention of professional men; but all men who read them will see what these forces have done, the difficulties which they have undergone, and the services which they have rendered their country. I find, my Lords, that it was not Admiral Parker who carried on the operations at Canton, but Sir H. Senhouse, an officer who rendered great and distinguished service, but unfortunately died, like many others, from the exhaustion which he suffered by reason of the labours he went through in the course of the day. The noble Duke then read the following vote of thanks:—

" That the thanks of this House be given to Lieutenant-General Sir Hugh Gough, G.C.B., Vice-Admiral Sir W. Parker, G.C.B., and Commodore Sir Gordon Bremer, K.C.B.; for the distinguished skill, intrepidity, and indefatigable zeal with which they have conducted the combined operations of her Majesty's naval and military forces on the coasts and on the inland waters of China; whereby a series of brilliant and unvaried successes has been concluded by an honourable peace on the terms proposed by her Majesty.

" That the thanks of this House be given to Major-General Lord Saltoun, K.C.B. Major-General George Burrell, C.B., Major-General Sir Robert Bartley, K.C.B, Major-General Sir James Holmes Schoedde, K.C.B., and the other officers of the navy, army, and Royal Marines, including those in the service of the East India Company, both European and native, for the energy, ability, and gallantry with which they have executed the various services which they have been called upon to perform.

" That this House doth acknowledge and highly approve the gallantry, discipline, and uniform good conduct displayed by the petty officers, non-commissioned officers, and men of the navy, army, and Royal Marines, including the troops in the service of the East India Company's service, both European and native, the cordial good feeling which has subsisted between all the branches of the united services; and the honourable emulation exhibited by all in the discharge of the various duties required by the peculiar nature of the operations to be performed; and that the same be communicated to them by the commanders of the several ships and corps, who are respectfully desired to thank them for their gallant behaviour."

He would also move that the Lord Chancellor be requested to communicate the above resolution to the forces engaged in China.

The Earl of *Auckland* concurred in every word which had fallen from the noble Duke in admiration of the services rendered both by the military and naval forces in China; but for his own satisfaction, as he had himself selected for that service Sir Hugh Gough and Sir William Parker, and as those distinguished officers had served for some time under his instructions, he trusted he might be permitted to say that he would ever feel pride in looking back upon their intercourse with him during one part of the progress of these operations. They were officers who had no superiors in judgment, skill, and determination, and in the eulogiums pronounced upon them he most fully and entirely agreed. Upon the services which they had rendered it was not for him to enlarge. He rejoiced that they had been the instruments of performing those great services to this country, that they had been the means of procuring that peace which promised everything that could be desired from it as the result of a glorious and successful war—and he rejoiced that they would receive the distinction of the thanks of both Houses of Parliament. Before he sat down, their Lordships would permit him to allude to what had fallen from the noble Duke. The noble Duke had spoken of the services of the army and navy, but to one branch of the army he himself would try to call the particular attention of their Lordships. He meant the native Indians. Those gallant troops were taken from home, were placed in a position on board ship most repugnant to their tastes and habits, and the answer of the native soldier to his commander, on being questioned as to his feelings upon going on such service, was then, what it had invariably been, "Where you go, we will go." These were not mere words of compliment. The Sepoys embarked with cheerfulness—they bore privations with cheerfulness—and proved themselves in these respects second to none. He was glad, from his own feelings towards the native troops, to bear such testimony in their favour; but after what had already passed, he would detain the House no longer upon the subject.

The Duke of *Wellington* had to apologise for not having more particularly alluded to the Sepoy troops. He had had occasion to take particular notice of the conduct of a company of Bengal Sepoys in the attack upon the heights of Canton. He believed that that company was intended to keep up the communication between two considerable bodies of our troops. These troops were withdrawn, but, somehow, the order to withdraw did not reach the Sepoys in sufficient time, and they were placed in a situation of much peril. They attempted to defend themselves by means of their fire arms, but, unfortunately, their muskets would not go off, owing, he believed, to the damp. They kept their ground, however, and gallantly defended themselves with the bayonet, until they were joined by a company of the Royal Marines, sent to relieve them. Their conduct had been most satisfactory.

The Marquess of *Lansdowne* said, no one could feel more strongly than he did how impossible it would be for himto add any weight to the testimony of the noble Duke, testimony which no one could feel so eminently qualified to bear to the great merit of the services which had been rendered upon the late important occasion. It would be useless for him to express his humble, though warm concurrence in the feelings and sentiments given utterance to by the noble Duke, were he not desirous of expressing the only thing in the shape of a regret which he could feel in connection with the vote before the House, and it was this—that, owing, he had no doubt, to technical considerations in connection with the vote now proposed, inasmuch as that vote merely referred to military and naval services—owing to these technical considerations, and only owing to them, he had no doubt it was that they did not find included in the vote proposed the name of an individual, an eminent and distinguished officer in another service, but who, on the late occasion, had acted in a political capacity—he alluded to Sir Henry Pottinger—a distinguished officer in the service of the East India Company, but who, on the late occasion, had officiated in those parts of the world in the capacity of plenipotentiary of her Majesty. If it happened, from the technical considerations which he had alluded to, that his name was not included in the vote, let not their Lordships forget that he acted not only as plenipotentiary in concluding the treaty of peace, but that he was throughout the whole of the late operations aiding and assisting in person the exertions of the forces upon every occasion, lending his powerful assistance to the military operations carried on by the commander and admiral of the land and sea forces, and contributing largely to that which the noble Duke had justly adverted to as forming one of the most satisfactory features of the war—that spirit of humanity, and good order, and conciliation, which, during the late operations, was, through his advice, as well as by the authority of those eminent commanders with whom he acted, strictly enforced and invariably maintained and to which, no doubt, might in a great degree be attributed the brilliant and complete success which had attended them. Indeed he thought that it would appear, from the more recent proceedings of the Chinese government, that they were yielding under the effects produced upon the people of the country by the conciliatory nature of the measures which had been adopted—measures which were teaching the Chinese to look as friends and not as enemies upon our troops—and teaching them, also, what order of things connected with our relations with them, would best tend to their future tranquillity, and to their immediate exemption from the sufferings and the privations of war. To that system being uniformly persevered in, the authority, the presence, and the advice of Sir Henry Pottinger directly and essentially contributed. He trusted, in making these remarks, that the noble Duke would not think that he adverted to the services of the officer he alluded to as meaning to impute blame to him (the Duke of Wellington), if, on technical grounds, he had been prevented from including his name in the vote before the House. But he did feel that it was impossible to allow the occasion to pass—and he was not influenced by personal acquaintance with the officer in question—without expressing what he felt of admiration for that career which had been heretofore passed in the service of the East India Company, but which had been no less successful in aiding the service of her Majesty—services of which he hoped it would appear that their Lordships were not and could not be unmindful.

The Duke of *Wellington* concurred in every word which had been stated by his noble Friend relative to the distinguished services of Sir Henry Pottinger through all the late operations. He had negotiated the treaty of peace, but that treaty was not yet under the consideration of the House. Under these circumstances, therefore, he could not consistently with the forms of the House, include Sir Henry Pottinger's name in the vote now proposed without laying on the Table of the House all the papers connected with that treaty of peace. He had no doubt whatever, that if they could be laid before the House at that moment evidence would be furnished sufficient to attract the admiration of every man in England to Sir Henry Pottinger; but they could not be produced at present; and, therefore, the name of that gallant officer could not be included in the vote he had the honour of proposing.

Lord *Brougham* would call the attention of their Lordships for one moment to a certain singularity in the circumstances under which the present vote of thanks to the army and navy in China would be passed. On former occasions the thanks of Parliament, prefaced by panegyrical addresses, had been moved by political chiefs and party men in both Houses; but at present it did so happen that this vote was proposed by a man, with respect to whom every one who would receive it would prefer his single opinion, his single panegyric, to votes of thanks from both Houses of Parliament. The subject of this vote had already been disposed of—for of what value could their assent be to it? It could add little more than mere form to the substance with which the noble Duke had already endowed them. The noble Duke had observed on the great skill of the combined operations of the army and navy. He had always understood that of all military operations, the most difficult to plan and hard to execute were the combined movements of land and sea forces; but the late operations, beside having contended with these difficulties, had been attended by obstacles of a very peculiar, if not an unparalleled, nature, as his noble Friend had clearly shewn. In agreeing to this vote of thanks, of course he pronounced no opinion on any subject but the naval and military services performed—no opinion upon the political part of the subject, no approval of the war in which the services of the army and navy had become necessary—which had been performed and brought to a happy, because a peaceful termination. He hoped and trusted that that termination would be for good; he hoped that all men's care would be bestowed and their efforts directed to restore complete, cordial, and lasting relations of amity—a really hearty good understanding between this country and the Chinese empire. He had lived long enough to be aware of what his noble Friend hinted, in his clear and distinct statement, that there existed some little difference between the difficulties and the perils with which our gallant countrymen had to contend during the earlier period of the war compared with those which had been met and surmounted in the latter. The Chinese were not only most numerous—so numerous that their resources were almost incalculable—that their people were to be counted by hundreds of millions, but they had the power of increasing their armies almost to their wishes, and their revenue to such a degree, that a poll-tax amounting to one shilling per head would pour from fifteen to sixteen millions of pounds sterling into their revenues without hindrance or difficulty.

They were also a clever people—they were an ingenious people—and they were emphatically an imitative people. Therefore there was some little difference in our situation with respect te them, when they had learned from us somewhat of our tactics towards the close of the war; and he would very much wonder, should a good understanding not be restored—should a feeling of revenge be left rankling in their breasts, if they were not to take steps during the peace they at present enjoyed, and which they had purchased by costly sacrifices of treasure, as well as blood—and of towns and islands as well as blood and treasure—to turn to account those faculties and resources which he had alluded to, so as to make the next campaign which might be carried on in our eastern dominions of much longer duration and of much more doubtful issue than the one which had just been happily concluded. For which raasons he hoped—and he would repeat the wish he had already expressed—that every pains might be taken, both by the Government here and by the Government in India, to restore not a nominal peace, but a real and cordial good understanding with that great and powerful empire.

The Earl of *Haddington* felt sure, and could assure the noble and learned Lord, that such pains would be taken, that such efforts would be made; and he trusted that the result of the late glorious operations would be, with respect to the feeling of the Chinese, very different from that which the noble Lord seemed to anticipate. Their Lordships might believe that he would not be guilty of the bad taste of travelling again over the ground trodden by his noble Friend near him. He knew full well what was the value of praise from him, and he was not about to add his eulogiums to those passed by the noble Duke. But being placed at the head of one of the branches of the services engaged in the late great operations to which the noble Duke had done so much justice, he rose for the purpose of returning thanks to the noble Duke, on the part of the naval service, for the eulogiums bestowed upon it. He congratulated the navy, in having had its panegyric pronounced by an authority the value of which could not be overstated. But he would add one word before sitting down with reference to the crews of the East India Company's steamers. By them was a most important part of the service in China carried on. The great majority of the steamers present there were supplied by the East India Company. They were not, he believed, necessarily belonging to the East-Indian navy, but hired for the occasion by the Company, to whom he hoped the thanks of the House would also be voted. Some of these steamers were commanded by officers in the Royal Navy; and the Board of Admiralty had done all that was in their power to testify their sense of the services rendered by these steamers, by the notice they had taken of those of the officers commanding them who were more immediately under their control. Some of those officers had greatly distinguished themselves, and their conduct had been followed by suitable promotion and reward. He would detain their Lordships no longer, but would once more express, on the part of the navy, his thanks for the manner in which the noble Duke had characterised that branch of the public service.

The Earl of *Minto* would not detain their Lordships many minutes, but he could not refrain from saying that he concurred, fully concurred, with the noble Duke in the admiration which he had expressed of the great actions performed by both branches of the service, and of the skill and perseverance by means of which difficulties of no ordinary nature had been successfully surmounted. For when they remembered that the late naval operations had been conducted in strange and unexplored seas, particularly abounding with the dangers common to navigation, and surrounded by hostile coasts, it must appear extraordinary, not only that success so great could have crowned our efforts, but that the British flag could have been carried by British cruisers before the walls of Canton, inside of the bar of the Pei-ho, and as far as Nankin. There was one point, however, to which he must allude, although it was with somewhat of regret that he found himself obliged to do so. He referred to the distinctions made between the rewards bestowed upon the commanders of the different branches of the services employed in China. Sir Hugh Gough having been created a Baronet, while Sir Wm. Parker had only been rewarded with the grand cross of the Order of the Bath. He was aware of the circumstances which had led to this unfortunate distinction having been made. He understood that the grand cross of the

Bath having been previously bestowed upon Sir Hugh Gough, the Baronetcy was conferred upon him as the only further reward which could be properly bestowed. At the same time, he did not think that this partiality of distinction was at all advisable. In the expedition there had indeed been no rivalry between the chiefs of the respective portions of it, except as to which should best perform his duty to his service and his country; yet, in the case in question, the expedition, if it had any peculiarly distinctive character, was certainly rather a naval than a military expedition. The greatest difficulties to be removed were those surmounted by the naval Commander-in-chief. These difficulties were difficulties of navigation, and, of course, from the very nature of the case, it was impossible that it could be otherwise. The greater burthen of the service fell, then, upon the naval branch; and, such being the case, it might be thought an invidious distinction that Sir Hugh Gough should have been enabled to transmit to his posterity the honours he had won in China, while Sir William Parker's distinctions would die with himself. He was very sure that Sir William Parker would look upon the cross of the order of the Bath as a high honour; and if the case rested on the adequacy of the reward he had received to the services which he had performed, he (the Earl of Minto) would not have a word to say upon the subject; but seeing that, in addition to the grand cross of the order of the Bath, Sir Hugh Gough had been rewarded in another manner, he did trust that the subject, if now, at least at some future time, would come under the consideration of her Majesty's Government, and that Sir William Parker would have the satisfaction of knowing that he would transmit his well-won honours to posterity.

The Duke of *Wellington* said, that his noble Friend had correctly stated the reason why the honours alluded to had been apportioned as they were. One commander had already received a cross of the order of the Bath, and consequently, it was necessary that another reward should be bestowed upon him. There was not—there could be no doubt as to the correctness of what the noble Lord had stated, with respect to the importance of the operation carried on by the naval branch of the service; there was no doubt of the exertions made by its commander. Without the ships the army could not have moved a single yard. But it was not to be supposed that those whose duty it was to advise her Majesty with respect to the distinction to be conferred could have made any mistake with respect to the nature of those services. The rewards had been apportioned as they were for the very reason which the noble Lord had stated. It was contrary to the usual practice to confer more than one honour of the kind alluded to at the same moment; but then it would be remembered that there was no necessary limit imposed by the course which had been pursued to the graciousness of her Majesty.

The Earl of *Minto* was entirely satisfied with the explanation of the noble Duke. There had been no slight intended towards Sir William Parker.

The Duke of *Wellington:* No, no; certainly not.

The Earl of *Haddington* said, that any charge of the nature now hinted at would naturally fall upon him; but he could assure his noble Friend that the services of Sir William Parker were not overlooked when the baronetcy and the grand cross had been bestowed. But it would be remembered, with reference to the distinction awarded, that Sir Hugh Gough had been for a longer period employed in the Chinese service than Sir William Parker, that he had already received the honour of a grand cross of the order of the Bath, and that there remained but a baronetcy to add; and he believed that, had they both been conferred upon Sir William Parker, such a course would have really appeared to be of an invidious nature. With respect to the services rendered by Admiral Parker, he must not be deterred from saying that they had been most eminent. That gallant officer went out with a high professional character, to which he had greatly added by his exertions, which had placed him in a position which would carry his name down to after ages as having been one of those who had done good service to their country.

The Earl of *Aberdeen* said, that he agreed with his noble Friend opposite with respect to the conduct of Sir Henry Pottinger. The details of the operations carried on by that officer had come under his observation, and it was impossible to say too much of the discretion, the judgment, the consisteney, and the forbearance which he had practised throughout all the negotiations entrusted to his management. His conduct had been such as not only to have ensured success in the negotiations which he carried on, but to have procured for him the respect and attachment of the Chinese with whom he was brought into contact; the sentiments induced in the minds of all with whom he had had any concern had been those of respect and good feeling, hardly to be expected considering the nature of the operations which he was then conducting. Fortunately his services, great as they had been, were still in full operation, and it was his good management and judgment that they were mainly to look to for the further improvement of those successes which had been detailed to the House. Their Lordships might imagine that, placed as he was at such an immense distance from this country, in a part of the world communication with which was so difficult and uncertain—they might imagine the satisfaction which any Government must feel in possessing, in such a situation, a person in whom such confidence might be placed; and it was with entire reliance that the happy result of the late war would be turned to that account which they had a right to expect, that they reposed their confidence in the discretion and ability of the distinguished officer alluded to.

Resolution carried unanimously. Lordships adjourned until Thursday.

HOUSE OF COMMONS,

Tuesday, February 14, 1843.

Minutes.] New Member Sworn.—G. A. Hamilton, Esq., for Dublin University.

Petitions Presented. By Mr. B. Escott, from the Principal and others of Jesus College, Oxford, by other hon. Members, from Cilcen, Mold, Henllan, Rhuddlan, Dymeirchion, Gwereafield, Pont Bleiddyn, and Hawarden, for the Repeal of so much of the Act 6 and 7 Will. 4th, c. 77, as relates to the Union of the Sees of St. Asaph and Bangor.—By Sir Robert Inglis, from the Dean and Chapter of Norwich, by Lord A. Hervey, from Brighton. and by an hon. Member, from Hawarden, for the Extension of the Church of England.—By Mr. Ord, from Newcastle-on-Tyne, for the Repeal of the Income-tax.—By Lord Ashley, from Glasgow, Edinburgh, Sunderland, Durham, York, Darlington, Newcastle, Carlisle, and North and South Shields, against the Repeal of the Mines and Collieries Act.—By Mr. T. Duncombe, from Dockhead, Bermondsey, for Inquiry into the Origin, Progress, and Termination of the Affghanistan and China Wars; and from the Chairman of a Meeting at Liverpool, for Inquiry into the Proceedings of the late Special Commission.—By Mr. Serjeant Murphy, from Cork, for the Abolition of Ministers' Money.—By Sir A. Brooke, from Fermanagh (Sheriff), for Amendment of the Poor Relief (Ireland) Act.

Right of Search.] Mr. *Hardy* begged to put a question to the noble Lord opposite (the late Secretary of State for Foreign Affairs), with respect to the treaties between this country and France for the suppression of slavery. The first convention between this country and France was made in 1831, and the supplementary convention in 1833. The question which he wished to ask the noble Lord was, whether the proposition for that supplementary convention proceeded from the Government of this country, or from the government of France?

Viscount *Palmerston* said, that as soon as the late Government came into office in 1830, proposals were made to the French government for a treaty granting to each country reciprocal powers of search, with a view to the prevention of the slave-trade. The convention of 1831 was concluded in consequence, and in that convention was recorded the general principle agreed upon by the two Governments. There were other details, however, including, among other matters, instructions to cruisers, which had not been regulated by the first convention. The convention of 1833 became necessary in consequence of these omissions, but that convention was essentially a part and continuation of the former, the general principles of which it sought to carry out more completely. He felt bound to say, in justice to the French government and to the French ambassador then accredited to the British court, that it was impossible any government or any ambassador could have entered with more readiness or more philanthropy into the negotiation. It was the honourable desire of both governments to concur in the most effectual means to obtain the suppression of the slave-trade.

Mr. *Hardy* wished to know what was the earliest date at which any complaints were made by the French government relative to the detention of French vessels by our cruisers?

Viscount *Palmerston* said that no complaint had ever arisen till a very short period before he and his late Colleagues quitted office. The complaint that then arose originated in no detention, in consequence of the conventions in question, but in consequence of the detention of a vessel in our own waters, on the coast of the Gambia, the detention arising out of a violation of our own municipal laws. He might, therefore, say that no complaint whatever, founded on the execution of the conventions of 1831 and 1833, had been made while he remained in office. The complaints that did arise were founded on the applications of the municipal law of England to French vessels suspected of being engaged in the slave-trade in the waters of Great Britain.

CHINA — VOTE OF THANKS.] Lord *Stanley*: Under ordinary circumstances, Sir, I should have been unwilling, even on a notice-day, to interpose, on the part of the Government, with any motion that might have interfered with the progress of an adjourned debate; but understanding from the noble Lord who originated the debate, and from hon. Gentlemen on the other side of the House, that there will be no objection to bringing forward, as a substantive motion, the vote of thanks to the officers and troops of the army engaged in the operations in China, and not anticipating that the motion will be likely to lead to any lengthened discussion, I will, with permission of the House, proceed to propose it. But first I must beg to move that so much of her Majesty's gracious Speech as referred to China be read.

The following extract from her Majesty's Speech was then read by the clerk at the Table.

> "The increased exertions which, by the liberality of Parliament, her Majesty was enabled to make for the termination of hostilities with China, have been eminently successful. The skill, valour, and discipline of the naval and military forces employed upon this service have been most conspicuous, and have led to the conclusion of peace upon the terms proposed by her Majesty. Her Majesty rejoices in the prospect that, by the free access which will be opened to the principal marts of that populous and extensive empire, encouragement will be given to the commercial enterprise of her people."

I trust the motion I am about to submit to the consideration of the House is one that will receive the cordial and unanimous support of the House. The question is one which involves no consideration of party or political interest. I do not propose to enter upon any discussion of those matters which might lead to controversy between different parties in the House as to the policy which led to the acts that ultimately rendered unavoidable the war in which we were engaged. I am not about to claim for this or that Government the particular merit of deciding, conducting, or supporting our naval and military operations in China. I am about to propose a vote of thanks to three gallant officers in particular, who had the chief conduct of those operations—all of whom were selected during the administration of noble Lords and hon. Gentlemen who sit on the opposite side. No party consideration, therefore, can interfere with the subject; and while I feel it almost presumptuous to express the opinion, that a more fitting and judicious selection could not have been made, than that which was made of the officers who conducted our naval and military operations in that country, I trust the time will never arrive when, in discussing such questions as that now brought before the House, either the British House of Commons or the British public will for a moment pause to consider by whom, and by what political party, instruments had been selected to carry out their plans. I mean, Sir, very briefly to recapitulate the events of the late war—those operations upon the successful accomplishment of which I rest the claims of those gallant men to the thanks of their country. I shall date the commencement of the war with China from the early part of the year 1841, and in this I believe the noble Lord, the late Secretary of State for Foreign Affairs, will agree with me. At that period it was that the temporary accommodation agreed to by Captain Elliot with the Chinese authorities was broken through by the latter, and refused to be ratified by the British Government. The operations in 1840 were almost all on a very small and comparatively insignificant scale. But in February, 1841, Captain Elliot concluded an agreement which was not ratified by her Majesty's Government. Before the refusal, however, of the British Government to ratify that agreement had reached China, the Chinese authorities had themselves violated it; and from February, 1841, therefore, I will commence the history of the war, which I will endeavour to make as concise as I can. On February 20, 1841, in consequence of the hostile determination manifested by the Chinese authorities and the Chinese people, it was determined, on the part of the naval authorities, that a certain operation should be undertaken, in which the naval forces were to bear a principal share. It was judged necessary to force the strong position of the Bogue forts, and, in fact, to bring the British fleet into the inner waters of China, close under the walls of the city of Canton. I should be sorry to weary the house with a description of the obstacles to be surmounted, and of the skill with which those obstacles were overcome; but I must call the attention of the House to the description given by Sir Gordon Bremer of two of the principal forts, situated nearly opposite each other, and between which it was necessary for the fleet to press forward. The noble Lord then read the following extract from the despatch of Sir Gordon Bremer:—

> "Partly surrounding the old fort of Anunghoy, and in advance of it to high water mark, was a new and well built battery of granite, forming a segment of about two-thirds of a circle: on it were mounted forty-two guns, some of them of immense weight and large calibre; several strong entrenchments extended to the southward of this battery, and the ridges of the hill were crowed with guns up to a camp calculated for about 1,200 men, and at the north side was a straight work of modern erection, mounting sixty heavy guns; about 150 yards of rocky beach intervenes between the end of this battery and the northern circular battery, on which forty guns were mounted; all the works were protected in the rear by a high wall, extending up to the hill, on which were steps or platforms, for firing musketry, and in the interior were magazines, barracks, &c. On the east end of the island of North Wangtong is a battery with a double tier of guns, defending the passage on that side, and also partly flanking a number of rafts, constructed of large masses of timber, moored across the river about twelve feet apart, with two anchors each, connected by and supporting four parts of a chain cable, the ends of which were secured under masonry works—one on the South Wangtong, the other on Anunghoy. On the western end of North Wangtong is a strong battery of forty guns, flanked by a field work of seventeen; indeed, the whole island is one continued battery. On the extreme western side of the channel was a battery of twenty-two heavy guns and a field-work of seventeen, protecting an entrenched camp containing 1,500 or 2,000 men."

It will hardly be credited that obstacles, apparently so insurmountable, should have been overcome by bodies of men comparatively so insignificant. The forts described were by the fire of the vessels of her Majesty, secured, silenced, and captured in the space of a single hour. A succession of operations brought her Majesty's fleet through channels unknown to the Chinese themselves; blocked up in some places by sunken junks, with, in some places, scarcely water enough for the vessels to sail in, and in some instances so narrow that the paddle-wheels of the Nemesis could scarcely go through them. All those difficulties were surmounted by the singular skill of the British navy, and vessels were taken through passages, in many cases unknown to the Chinese themselves, and without the aid of a single Chinese pilot, the English fleet was brought in a few days to the walls of the great and wealthy city of Canton, and that great and wealthy city was placed at the disposal of her Majesty's forces. In consequence of these operations, 500 guns, many of them of a large calibre, were captured. When Canton had thus been placed in the possession of her Majesty's forces, the Plenipotentiary, in the exercise of his discretion, interfered, and the fleet, without the commission of any act of violence, except the destruction of the guns captured, returned to the former anchorage, and remained there undisturbed for two months. Sir Gordon Bremer, in the meantime, proceeded to Calcutta, to give the Governor-General an outline of the state of affairs, and to ask him for a further reinforcement of troops. On this account it was that he was not present when the subsequent operations took place on the 18th of May, when the heights of Canton were stormed, and that city was again placed at the disposal of her Majesty's forces. This operation, which was not, as the former had been, chiefly a naval one, was brought on by the acts of the Chinese government, and by the knowledge of the fact that a very large body of men, amounting, according to some accounts, to 45,000 men, was being collected, composed of the best troops of the empire, and actually occupied Canton. In consequence of this proceeding, and of the attempts which were made to set fire to the ships, it was thought necessary, on the 18th of May, without waiting for further reinforcements, again to advance on the city of Canton, and take possession of all the forts and heights which crowned that city on the north and north-west. The former operation was principally naval, but in the conduct of this enterprise, which was in the greatest part a military operation, the troops were placed under the superintendence and leading of Sir Hugh Gough, but when I say that this was principally a military operation I should do great injustice to our naval service if I were to leave the House to infer that the operation, though of a military character, was conducted exclusively by military means. On the contrary, as well on this as on every subsequent occasion, there appears to me to have been, among all the troops engaged, of every description, an alacrity to forget all the peculiarities of their respective services, and cordially, sedulously, and willingly to devote themselves to the service of the Crown and of their country, in whatever capacity and under whatever circumstances their services might be called for. Previous to the occupation of the heights, and the storming of the four forts on the north-west of Canton, the troops had been disembarked with the greatest gallantry and skill, at the precise point at which it was intended the debarkation should take place, and the column of attack was divided into four brigades. One of these consisted exclusively of two battalions of officers and men of the navy, and it went therefore under the title of the naval brigade. I should add, that Sir Humphrey Senhouse, the distinguished officer who commanded the naval force on the occasion, and whose loss within a very few days afterwards was the only circumstance which could cause a feeling of regret to intervene in reviewing the success of that memorable day, abandoned the leading of the naval brigade to Captain Bourchier, consenting to forego the pleasure of bringing his men into action, and throughout the whole day attended on Sir Hugh Gough with his counsel and assistance. I am but little competent, Sir, even if it were right to weary the House by such details, to enter into the military narrative of this or any other operation. There are many Members of this House far more competent to speak to their merits; but Gentlemen will find any trouble they may take well repaid by perusing if they have not already done so, the various despatches which were from time to time made public in the *Gazettes* of this country, and which communicated the most interesting information with respect to the details of each of the operations. The result, however, of the operations to which I have alluded was, that with a force amounting to somewhere about 3000 men, and I believe not, including seamen, exceeding 3000, the line of heights was occupied flanking the river for a considerable distance. The negotiations respecting a truce (for attempts were made to bring matters to a peaceful result, even at the last moment) having been broken off, a simultaneous order to advance was given to the different brigades who were to take possession of the four forts. Perhaps I may be permitted to read to the House the statement made by Sir Hugh Gough as to the manner in which the order was carried into effect:—

> "At about half-past nine o'clock, said the general, the advance was sounded, and it has seldom fallen to my lot to witness a more soldier-like and steady advance, or a more animated attack. Every individual, native as well as European, steady and gallantly did his duty. The 18th and 49th were emulous which should first reach their appointed goals; but under the impulse of this feeling they did not lose sight of that discipline which could alone ensure success. The advance of the 37th Madras Native Infantry and Bengal Volunteers in support was equally praiseworthy. The result of this combined movement was, that the two forts were captured with comparatively small loss, and that, in little more than half an hour after the order to advance was given, the British troops looked down on Canton within 100 paces of its walls. The well-directed fire of the artillery in the centre was highly creditable, and did great execution. In co-operation with these attacks I witnessed with no ordinary gratification the noble rush of the brigade of seamen under their gallant leader, Captain Bourchier, exposed to a heavy fire from the whole of the north-western rampart. This right attack was equally successful, and here, also, the British standard proudly waved on the two western forts, while the British tars looked down upon the north-western face of the city and its suburbs."

I think it would be hardly right to select for especial praise, on an occasion like the present, when we are to consider the results of many successive enterprises, individual names, whether those of particular regiments or of particular officers, other than those who were formally and officially brought under our notice. But I may be permitted to refer to a single incident I have heard connected with the fortunes of the 37th regiment of Madras Native Infantry, which, as well as many others that are related of that gallant regiment during the course of those operations, proved, that for skill, courage, and unflinching discipline, the Sepoys of that brave corps were worthy to take the place they afterwards occupied throughout the operations of the campaign, and fight side by side with the Royal Irish, the 49th and the 57th regiments, which were engaged from first to last in almost all the brilliant actions of the war. The first effect of the capture of these forts was the surrender to the small body of men I have named of a number of Chinese troops, calculated at the very least at 35,000, and by some as high as 45,000, who were permitted to march out of the city they had been sent to defend, and which they surrendered, a large and not disproportionate ransom being fixed for the city of Canton. Subsequently, trifling skirmishes took place, and in the course of one of them, two days after the surrender of this city, a company of the 37th Madras Native Infantry was accidentally separated, after a tremendous thunder storm, from a body of the 26th Regiment of the Queen's forces, with which it had been co-operating. It was towards dusk that this little company was missed, under circumstances which caused great anxiety. The whole day had been a succession of violent thunder storms and extremely heavy rain; and a detachment of the marines was sent out for the purpose of ascertaining the fate of this gallant little company. And in what position does the House think they were found? The singly company was found in the presence of some thousands of Chinese, armed uncouthly, no donbt, but still armed with matchlocks and long spears. In consequence of continued wet, they were incapacitated from using a single musket of those they possessed, but the men of this gallant company were found formed into a solid square with fixed bayonets, keeping the whole of their assailants at bay, and there they maintained their position until after dusk, at which time they were relieved by a body of marines, who were fortunately armed with percussion muskets. This, Sir, is in itself but a trifling incident, but I mention it for the purpose of doing honour to the Indian army, and also of showing that in a climate and country, and opposed to a people of which previously they had been altogether ignorant, they—separated from all assistance—displayed a coolness, courage, and discipline worthy of the best regiments of the British army; and I am quite sure that there is no officer or man of that army who will consider it invidious, if on that account I have diverged somewhat from the ordinary course, and selected this remarkable incident as one worthy of particular mention. The troops having abandoned possession of Canton, retired down the river, and it was not till August that reinforcements having been sent from the Governor-general of India, an expedition was enabled to proceed to the north under the command of Sir William Parker, who had then recently arrived, and Sir Hugh Gough. On the 21st of August it left Canton, and proceeded to the port of Amoy. The force which set out on this service consisted of eleven ships of various sizes, carrying in all 330 guns, four steamers, and a small land force of 2,233 men, it being necessary to leave at Hong Kong, for the occupation of the island, a garrison of 1,380 men, which, with the remainder of the troops on the expedition, constituted the whole disposable force in China. With this force, naval and military, the expedition entered the harbour of Amoy, a spacious and ample haven, protected on one hand by works above the town of Amoy itself, and on the other hand by the island of Koo-lang-soo, which forms the mouth of the harbour, and was also strongly fortified. I am afraid I weary the House by reading the detailed account of these operations, but the description of these works is as follows:—

"The enemy's defences were evidently of great strength, and the country by nature difficult of access. Every island, every projecting headland, from whence guns could bear upon the harbour, were occupied and strongly armed, commencing from the point of entrance into the inner harbour on the Amoy side; the principal sea line of defence, after a succession of batteries and bastions in front of the outer town, extended for upwards of a mile in one continuous battery of stone, with embrasures roofed by large slabs, thickly covered with clods of earth, so as to form a sort of casement, and afford perfect shelter to the men in working their guns. Between some of the embrasures were embankments to protect the masonry; and ninety-six guns were mounted in this work, which terminated in a castellated wall, connecting it with a range of precipitous rocky heights, that run nearly parallel to the beach, at a distance varying from a quarter to half a mile. Several smaller works were apparent at intervals amid the rocks. The entrance into the inner harbour is by a channel about 600 yards across, between Amoy and the island of Koo-lang-soo, upon which several strong batteries were visible, and some of these flanked the sea line and stone battery. It appeared expedient, therefore, to make a simultaneous attack on these two prominent lines of defenec."

Sir, no time was lost in making preparations for the attack of these formidable defences, which was commenced without delay, a previous close examination having been made under the eyes of Sir H. Gough and Sir W. Parker themselves. And here I may be permitted to say, by way of parenthesis, that there are no features in the character of these gallant officers more worthy of commendation than this—that they seem on every occasion to have determined to judge for themselves, to see with their own eyes, to trust to no reports, whenever there existed the means of satisfying themselves, well questioning before they undertook any enterprise, the probable means of resistence, and the most effectual mode of overcoming them. Thus, in a harbour but very partially known, and consequently where thedifficulty of placing ships in a proper position was comparatively great, the ships were all placed in their positions with such precision that not one of them was out of that line in which it had been arranged beforehand, that their fire should be directed to Amoy on the one hand, or Koo-lang-soo on the other. In placing their vessels, I ought not to forget to mention that it appears from the official report that the Blonde, Druid, and Modeste reached their position against the island of Koo-lang-soo a few minutes earlier than the rest; but the others found so much difficulty from the shallowness of the water in taking their places, that they very spiritedly carried them into almost their own draft of water. The ships having been placed, the fire commenced at once on the fortifications of Amoy, and the defences of Koo-lang-soo; and under cover of that fire, the small body of marines, headed by Sir H. Gough in person, carried the fortifications of Amoy, while at the same time, and almost at the same hour, the works of Koo-lang-soo wese stormed and taken by a body of marines, landed under the fire of the ships attacking the batteries. It was necessary to leave a garrison here, and 550 men of the small land force of the expedition were necessarily left behind. From Amoy the troops proceeded to reoccupy the island of Chusan, which had been previously occupied by the troops during the present year, but which, on the breaking off of the negotiations with Keshen, in 1841, had been abandoned by the commissioner. On approaching this island no time was lost in making preparations to overcome the obstacles which Chinese art and ingenuity, following the lessons taught by our own engineers, had created, in the construction of fortifications, by which the island was placed in a complete state of defence. Our officers, it was said, were completely struck with the great skill and proficiency in fortification acquired by the Chinese engineers and artificers since the period at which we abandoned the island. The batteries, which presented a most formidable line of defence towards the sea-board, were taken by a gallant operation, in which the assailants were the military force and a body of marines, by which the heights adjoining the shore were carried in the face of a very superior body of men, many of whom stood very gallantly to their arms; and the batteries towards the sea-board being thus turned, an attack was made on the city in the rear, where preparations had not been made to the same extent as in other quarters, and the city fell an easy prey to the gallantry and ability of British troops. From Chusan, the next operations of the combined forces were directed against the very strongly fortified heights of Chin-hae, protecting the large commercial town of Ningpo, which contains a population of above 300,000 inhabitants. The whole forces, naval and military, were engaged in this expedition; and for a description of the difficulties they had to encounter in this enterprise I beg to refer hon. Gentlemen to the official accounts, without troubling the House with a detailed relation of the series of operations. Defences manned by a garrison of from 8,000 to 10,000 men, surrendered to a body not exceeding 2,000, including in that number a body of seamen, who, with their usual spirit of daring and anxiety to be present, operated on one side, while the operations were carried on upon the other side by the military under Sir Hugh Gough. The fruit of this achievement was the almost unresisting surrender of the great and precious city of Ningpo to the British forces. Immense quantities of military stores were found at Chin-hae, of which the General thus speaks:—

> "We found Chin-hae to be, I may almost say, one great arsenal, with a cannon foundry and gun-carriage manufactory in active operation on improved works, together with warlike stores of various descriptions. In a battery upon the river one of the carronades of the Kite was found with an excellent imitation alongside it, and many of the new Chinese brass guns are very efficient."

Sir Hugh Gough then proceeds to describe their passage to the city of Ningpo with the small force which circumstances alone permitted him to take with him:—

"It having been determined to push on with the least possible delay to Ningpo, Sir W. Parker proceeded on the 12th, in the Nemesis steamer, to ascertain the practicability of the river, and actually reached, without the slightest attempt at opposition, the bridge of boats which connects this city with the opposite suburb. Upon his returning in the evening, arrangements were made for the attack on the following morning, lest the enemy by his apparent submission, should intend to entrap us. Having left the 55th, with the exception of the light company, 100 of the Royal Marines, with detachments of artillery and sappers, in Chinhae, the rest of the force, about 750 bayonets, exclusive of the artillery and sappers, in steamers, by eight, a.m., on the 13th, and we reached Ningpo at three o'clock. No enemy appeared, and it was evident no ambuscade was intended, as the inhabitants densely thronged the bridge of boats, and collected in clusters along both banks. The troops landed on and near the bridge, and advanced to the city gate which we found barricaded, but the walls were soon escaladed, and the Chinese assisted in removing the obstructions and opening the gate. This little force of soldiers, seamen and marines drew up on the ramparts, the band of the 18th playing 'God save the Queen.' The second city of the province of Che-keang, the walls of which were five miles in circumference, with a population of 300,000 souls, has thus fallen into our hands. The people all appear desirous to throw themselves under British protection, saying publicly that their mandarins had deserted them, and their own soldiers are unable to protect them. I have assembled some of the most respectable and influential of the mercantile class that have remained, and have assured them of my anxiety to afford them all protection consistent with our instructions to press the Chinese government. Proclamations have been issued, calling upon the people to open their shops, which I have engaged shall not be molested. This they have done to some extent, and confidence appears to be increasing. It affords me very great satisfaction to be enabled to report to your Lordship that the orderly conduct of the troops calls for my warmest commendations, evincing the constant attention of the officers, and the true British feeling which exists in this little force."

This small force, Sir, remained at Chinhae and in the neighbourhood of Ningpo, the season being now far advanced, and it being impossible without very great reinforcements to undertake important operations. The troops continued in quarters, furnished with provisions by the country people, who made no difficulty whatever in supplying them, until the 10th of March when they were disturbed by a night attack, made shortly before daybreak by a very large body of Tartar troops, which was at once repulsed, with a success that reflects great credit on the promptitude and courage with which an attack so totally unexpected, and of a kind that often proves embarrassing and trying to the best troops, was met and defeated. With the details of this, however, although well worthy of attention, I will not trouble the House. Shortly after this it became necessary to proceed a considerable distance into the country, and 1,500 seamen and marines, under the command of Sir W. Parker, went on this service. These forces, Sir, attacked a large and formidable body of Tartar troops, whom the Chinese had always hitherto considered invincible, routed them without difficulty, and returned in triumph to Chin-hae, without having committed a single outrage or act of violence for the purpose of desolation, and without having been guilty of an act of wrong to a single individual. Sir, the House is, perhaps, weary by this time of listening to details of uninterrupted success, gained over enemies who certainly, from first to last, with few exceptions, offered no very serious obstacles to our arms. But, Sir, they will forgive me if I call their attention to one point, which will, I trust ever continue to characterise British troops, both in the naval and military service of the country, and which is beyond doubt entitled to the highest approbation and favour of this House, and that is the good order and discipline which throughout the war was conspicuous on every occasion. The House will, I hope, not think I am taking up their time unnecessarily if I refer to one or two instances of this quality, which, it appears to me, must have had considerable effect on the ultimate success of the war. At Amoy Sir Hugh Gough describes the conduct of the troops as having been most excellent, and marked throughout with the utmost forbearance to both persons and property. The same highly creditable demeanour was observed by them at our re-occupation of Chusan, and on the capture of Ningpo it is stated to have been, if possible, more signal. Not only Sir Hugh Gough, but other authorities, bear the strongest testimony to this gratifying fact. With reference to what took place at Ningpo, it is said in one passage of the despatches,—

"Her Majesty's sloops and the steam vessels are anchored under the walls of the city, and his Excellency the General is actively exerting himself in securing all the Government property on shore, and endeavouring to establish order, and prevent the pillage of this populous and opulent place, where, I am happy to say, such of the respectable inhabitants as have remained, evince much less apprehension at the presence of the English than was exhibited either at Amoy or Chusan."

Sir, not from British officers alone have we strongly expressed testimonies to the good conduct, as well as to the valour of the British troops. Repeatedly letters were intercepted, written by Chinese military authorities, in all of which they state, in various and strong terms:—

> "We have in vain endeavoured," said one, "to impress on the population that those barbarians are the thieves and robbers they have been described. They feed the poor—they protect the helpless—they release their prisoners—they heal the wounded; in every case they put themselves forward as the protectors, not the enemies, of the people; and we, the military authorities, tell you, the Government, that against such conduct as this, and against troops so conducting themselves, we find the people lukewarm in our cause; and we cannot make head against an enemy who fights with such weapons."

It was in the month of May next that a portion of the reinforcement which had been sent from this country and India having arrived, or being on the point of arrival, the first operation was undertaken in the capture of the town of Chapoo. I will not enter into the details of the occurrences, except to state that for the first time on this occasion British troops found in the city of Chapoo, living in a separate portion occupied by them alone, a party of Tartar troops, who exercised a species of domination over the subject Chinese, holding themselves at once as the guardians and masters of a submissive population. It was by this body of men, the Tartar troops, in these quarters, that the greatest resistence was made, and the bloodshed which ensued is to be ascribed to their unfortunate ignorance of the British character. They were filled with the belief that no quarter would be given by British soldiers. It was here that her Majesty's service sustained a great loss in the death of the gallant Colonel Thomas, who fell at the head of his regiment. But the principal operation of the campaign, and that which reflected greatest credit on the officers and men engaged in it—not alone in a military point of view, but for the science and skill with which it was conducted—was that of carrying a large British fleet and a considerable force 170 miles up the inland waters of the great and hitherto unknown river, in the centre of an empire never hitherto traversed by Europeans, and which had kept itself as free as possible, and more free, than, in this state of the world, we could almost have believed possible, from all intercourse with foreigners. The mouth of the Yang-tse-Keang is beset with numerous shoals, utterly unknown to the officers of the squadron, and enveloped with fogs, which rendered the surveying operations matters of peculiar difficulty—sunken rocks blocking up the immediate channel, on one of which a steamer, in the course of the operations, struck. This, I believe, was the only disaster with which the operations were attended; but, by energy and perseverance, without any assistance except that to be found in British science and British skill, the whole of the fleet, which ultimately amounted to no less than seventy-three sail, was safely carried through the shoals, and over the bar of this mighty river: 170 miles did they sail up its course, the first thirty unexpectedly affording a depth of water about three feet more than was required by the line-of-battle ships. Sir, I shall not dwell on the operations connected with the capture of Wosung, where fresh troops of the enemy were defeated by our forces. The credit of this operation is due exclusively to the naval part of the expedition. Neither shall I go at length into the previous reduction of Shang-hae; but I will beg to call the attention of the House to the position in which this country stood on the 22d of July, after the city of Chin-keang-foo had finally fallen before the arms of the naval and military forces of her Majesty. That city was the great stronghold of the Chinese troops. There were, undoubtedly, garrisoned the best of the Tartar troops, covered by defences which they themselves considered impregnable. These Tartars were regarded by the Chinese as invincible; the natural defences of the place were very great, the artificial difficulties interposed were greater still. Such was the burning heat of the climate, that even in the thick of the encounter, after a portion of the city had yielded to a gallant attack of our troops, after the gates were in our possession, and when the citadel was still maintained and defended by the Tartars, the heat being so intense that no less than sixteen men, and among them, I believe, a most gallant officer, Major Uniacke, of the Marines, fell victims to the overwhelming power of the sun. Under these circumstances I say, that contending armies suspended their strife for a while, and threw aside the arms they wielded against each other, from noon-day till seven at night before their returning strength enabled them to renew the contest. Such was the blow by which the great city of Chin-keang-foo, to the astonishment of the Chinese troops and people, fell into our power after one day's assault by the combined strength of the naval and military forces; for on this occasion, as on almost every other during the war, the navy had its full share of honour in the successes we gained. And here I may say that whatever might be the case on other occasions, our troops were met in this action with no slight or weak resistance. The Tartar troops fought with the fury and courage of desperation. The combat on the ramparts was maintained hand to hand, and there was more than one instance of a Tartar soldier grappling with the enemy opposed to him, and precipitating himself and his antagonist over the walls of the city, in order that his foe and himself might undergo a common death. Sir, I am happy to say that little of marauding or disorderly conduct could be laid to the charge of the British soldier on this occasion; but there were circumstances which stamped the capture of Chin-keang-foo with peculiar horror. Ignorance of our mode of warfare, and of the humanity which accompanies—and, I hope, always will accompany—the display of British valour and energy; a large body of the Tartars—whether from desperation or from a mistaken feeling of loyalty and allegiance to their Sovereign I can hardly take upon myself to say—after the city was taken, consigned themselves, their wives, their children, and their households, to indiscriminate slaughter. I shall not pain the House by detailing the circumstances of the scene which met the eyes and shocked the feelings of our officers in the course of their excursions through the streets of this capital. Sir, I turn much more gladly to contemplate the triumphant position in which England and the British forces then stood. A force consisting of 4,500 effective men, under Sir H. Gough; a fleet of seventy-three sail, including one line-of-battle ship, sixteen vessels of war of different descriptions, and ten war steamers, had forced their unassisted way, conquering as they went, up this mighty and unknown stream, and penetrated the Yang-tse-Keang, for a distance of 170 miles, to the centre of the Chinese empire. They had achieved the conquest of towns and fortresses mounting in all above 2,000 guns, which they had captured or destroyed. They had subdued cities containing a population varying from one million down to 60,000 or 70,000. They had continually routed armies four or five, and sometimes ten times their own number; and they had done all this at a great distance from their own resources, and in the heart of an enemy's dominions, half across the globe from their own native country. They now occupied the proud position of having surmounted all the innumerable toils and difficulties of their warfare, and holding with one hand, in their formidable grasp, the main artery of Chinese commerce—the intersection of China's mightiest river, with that great canal which traverses the country, and supplies the upper provinces with the products of the south. Thus they had China and its commerce at their feet; they had made their dispositions, which circumstances fortunately rendered unnecessary, for the capture of Nankin, which they were ready to storm when Sir H. Gough should give the word. They would have captured the second city of the empire with a population of 1,500,000 inhabitants. In the course of all these proceedings they had maintained, not only constant and uninterrupted gallantry, but a soldier-like temperance and discipline which reflected on them a glory of the purest character—on them, and on their leaders, Sir H. Gough and Sir W. Parker; and now at length they enabled her Majesty's plenipotentiary, at the head of a powerful fleet and of a not inconsiderable and highly disciplined army, to dictate peace on the terms prescribed by his sovereign, and they have obtained this peace on terms of entire equality, at the hands of the emperor of China. There may have been operations, Sir, in which more blood was shed, or in which a more obstinate resistance was made, but I will venture to say that, for a combination of all the qualities which the circumstances of various services required from all the officers and men of the force, there never was an army which better deserved, as I am confident they will receive, the expression of the thanks and gratitude of this House and of Parliament. The vote of thanks I now propose is in one respect, perhaps, couched in rather an unusual form. It has been usual separately to thank the officers and men of the naval and military service. It is not from any neglect, or omission to consult former precedents, that her Majesty's Government have adopted the form in which they now offer a vote for the thanks of this House to their consideration. It is because, from the commencement to the end of this war, on every occasion, navy and army concurred in the most thorough co-operation; because there was hardly an action in which their combined efforts were not called for, nor one occasion on which the thanks of Parliament could be voted to the one service, where they would not be justly due to the other. And in speaking of the army and the navy, I desire to include in the expression of the public gratitude, and the proposal of the thanks of Parliament, not only the officers and men of the East India Company's military force, but also the officers and men of the infant navy of the East India Company—that navy which, on every occasion when its exertions have been called into action, has rendered signal service to the public interests of the empire, and has shown all readiness to cooperate with the navy of the Crown. Sir, I have perhaps, detained the House longer than I ought to have done. I know how wearisome to the House details of the kind I have gone through necessarily must be, and that, as an unprofessional man, I may have omitted the names of many individuals whom I ought to have mentioned; but I trust, that to the service the circumstance of my being an unprofessional man will be a sufficient apology for that omission. I wish to state, with reference to the individual names included in this vote of thanks, that a regular precedent has been established, from which it would in my judgment be most unwise and inconvenient to depart. That precedent, I believe, has been fixed to be, that, in the naval service no man below the rank of rear-admiral, and, in the military service, below that of major-general, should have his name included in the vote of thanks. [Sir *Charles Napier*; Yes, a commodore has.] I mention this, because I think it wise on this occasion to adhere to precedent and rule; and I think it would do great evil if, in returning the thanks of Parliament to those engaged in military operations, it were left to Parliament to discuss the merits of this or that officer, or of this or that man, or whether this or that individual had a better claim than another to be included in the vote of thanks, while it is very possible that the merits of the one might be quite equal to those of the other. Were it not for this consideration, I should feel it to be an act of injustice to omit the names of those captains in her Majesty's navy who commanded the vessels engaged in this expedition, and who performed their services with the most admirable zeal and ability. It is in consequence of our wish to adhere to the regular rule in these cases that we have inserted no other names than those which appear in the proposed resolution. But had it not been for the precedent, it would have given the Government the greatest pleasure to insert the name of Admiral Sir Thomas Cochrane, inasmuch as, although he never was engaged in any of the actual operations, he was, by the direction of Sir William Parker, sent to a station of great importance, namely, Hong Kong, where he performed the responsible duties entrusted to him with the greatest skill. It is with great reluctance, therefore, that I have omitted the name of that distinguished officer. Sir, I will not pretend to anticipate what may be the consequences of the peaceful and happy termination of this arduous war. I say arduous, not in consequence of the extraordinary difficulties which our forces had to encounter in the shape of military opposition, but in consequence of the difficulty, in consequence of the peculiar and unknown character of the Chinese, of estimating the nature of the obstacles that would be thrown in their way. I say I do not pretend to anticipate the results of the successful termination of this war. I trust, however, that more intimate and extended relations with the Chinese people may lead to results most advantageous to the trade and commerce of this country, although, perhaps, such results may not come into operation immediately. I heard with great satisfaction the wise and temperate language in which my hon. Friend —as I trust he will allow me to call him, and who I do not see in his place at this moment, I mean the hon. Member for

Manchester—adverted to this part of the subject, and warned the manufacturers of this country that the development of this new market, valuable as it was likely to prove, must be a work of time, and that great results must not be looked for immediately as following upon recent events; but that the new market must be regarded as a slow, but sure opening for British commerce, rather than a great present gain, which was to be seized upon with avidity by the manufacturing body, and thus lead, as had been the case in some other instances, to disappointment and loss. Sir, it is not my part, nor the part of this House at the present time, to anticipate the results of the great events which have just transpired. It is our part now to congratulate ourselves and the country at large upon the peaceful and satisfactory termination of this extensive and arduous war—to congratulate ourselves, also, upon the possible opening for British commerce, in a more extended communication with a vast empire which has hitherto stood excluded from the civilised world, but which we hope may hereafter become incorporated with that civilized world. Our simple task is, to pay our tribute of gratitude—a tribute which, I hope, will pass this House without a single dissentient voice—to those gallant men who have so well sustained the honour of the British arms, and to whose noble and intrepid exertions our signal success is to be attributed.

Viscount *Palmerston*: Concerned as I have been, said the noble Lord, with those transactions which form the subject of the motion of the noble Lord, the House will not be surprised that I should be anxious to second the motion which the noble Lord has just submitted to the House, and to express my most cordial and hearty concurrence in the vote which he has proposed. In doing so, Sir, I shall follow the example so properly set by the noble Lord, by abstaining from anything that could by possibility disturb the unanimity which I trust will prevail in the House, on the present moment, by infusing into the discussion the slightest alloy of party feeling. Of course, Sir, the House must feel that we upon this side of the House, who are peculiarly responsible for the operations, the triumphant termination of which this House is now commemorating, must feel no ordinary gratification at the success which has been achieved; but I feel it would be unworthy on my part to say anything that could excite the slightest shade of difference in the mind of any man here present, or diminish that full and entire feeling of satisfaction with which I trust every one will concur in the motion of the noble Lord. The noble Lord has gone so ably and so fully into the details of those operations, for which it is now proposed that we tender our thanks to those engaged in carrying them out, that I can add nothing to that which has been already said. But when the noble Lord expressed his apprehension that the details he was entering into would be wearisome to the House, I must be permitted to say, that he did not do justice either to the clearness and ability with which he made his statement, or to those feelings of patriotism with which the Members of this House must ever listen to the accounts of those actions by which glory has been shed upon the arms of their country. The noble Lord very justly said, he might take the beginning of the year 1841 as the commencement of the war in China. Up to that period we were in process of negotiation rather than in a state of hostility with China. The negotiations, it is true, were accompanied and supported by a military and naval demonstration, and by the occupation of an island, but still the character of the transactions was that of negotiation rather than of hostility. When the treaty made by her Majesty's plenipotentiary in China was violated and rejected by the Chinese authorities, long before it could be known to them that the treaty was not accepted by the Government of Great Britain, the transactions began to assume the character of war rather than of negotiation. Sir, it is true, as the noble Lord has stated, that there have been other occasions upon which the army and navy of England have had to act upon a larger scale, and to contend with a more formidable enemy; but when we consider the great distance of the scene of operations, the unknown character of the people, and the unexplored nature of the coasts and seas — when we consider the local difficulties to be encountered, I must say, that there has never been an occasion upon which the British army and navy have had more opportunities for displaying that skill and courage, those fertile resources in difficulties, that endurance under privations, and that enterprise in action, which have always more or less distinguished them in every field on which they have been called upon to serve their country. But when I say, that upon other occasions the forces of Great Britain have had to cope with an enemy more formidable, let it not be assumed that the Chinese did not display great personal courage upon many occasions. They were wanting in that skill in the art of war without which courage can do little towards ensuring success; but there were many instances of desperate bravery on the part of individuals and of bodies of troops that were worthy of the most military nations on the earth. It must not be assumed, therefore, that the Chinese were deficient in that physical courage which renders an enemy respectable. I say, then, Sir, that these operations reflect the highest degree of credit both upon the skill of the officers by whom they were conducted, and upon the valour and constancy of the troops who acted under their orders. With regard to the naval commander, Sir W. Parker, the right hon. Baronet now at the head of the Home Department and myself, had ample opportunities, when at the head of the Admiralty, of witnessing the prudence and judgment of that officer when military qualities were not so much called into play — I mean when he commanded in the Tagus; and that officer has now shewn as much ability and enterprize in a more active service. With respect to the other commanders, I have not the honour of the same previous acquaintance with them; but all that they have done on this occasion deserves the gratitude and thanks of this House—not only on account of the skill and enterprise with which they surmounted all those difficulties so well described by the noble Lord, but also for the general tenor of their conduct towards the people against whom their operations were directed. It is perfectly true, that by their original instructions they were directed to abstain from all acts of violence upon the population of China, which were not actually and absolutely necessary for the prosecution of their military operations: but in carrying out their instructions those officers proved that they had in their own breasts the same feelings that had dictated the instructions, and it must be remembered, that it is far easier for a Government to write such instructions in the calmness of the cabinet, than it is for officers in command to cause them to be obeyed by troops flushed with victory, and still heated by the excitement of the conflict. That is a point which ought to be borne in mind by the House when considering the vote of thanks now before them, for there is another and important consideration connected with it—namely, that it was the humanity and forbearance of our troops towards the people of China which essentially contributed to the success of our military operations. That conduct excited in the minds of the people of the country a friendly feeling towards us, and we know that the Chinese expressed the utmost astonishment at the forbearance of our troops. They had been accustomed to give no quarter to their captives, but to practice the utmost barbarity upon all whom they vanquished; and they were surprised that the English should take so much pains, expose themselves to danger and death, and expend so much treasure, for the purpose of inflicting wounds upon the Chinese, which afterwards they took so much trouble to cure. That is an illustration both of the character of the Chinese and of the contrast afforded by the conduct of our troops. I remember Mr. Canning ridiculing the idea of sending out 16,000 bayonetted philosophers to enlighten the people of Sicily; but we have now seen a smaller body of men, philosophers of the same kind, who, instead of exhibiting that ferocity usually displayed by men with arms in their hands, have, by the force of their example, taught their enemy a lasting lesson of mercy to captives, and of humanity towards the conquered. The noble Lord has dwelt upon those who have not been included in this particular vote. By the practice of Parliament, it is impossible the vote can extend beyond the range it has taken; but perhaps I may be permitted to say, in seconding this motion, that although this House cannot vote their thanks, I trust that the minds of hon. Members will be not the less imbued with feelings of gratitude towards those who, although not included in the vote, have done their country good service. And first, I should say, that that gratitude is eminently due to the late Governor-general of India, Lord Auckland, who, by the zeal and promptness with which he sent reinforcements, so greatly facilitated the military operations. And I would also say, that such feelings are claimed by Sir Henry Pottinger, of whom, upon a late occasion, the right hon. Baronet spoke at once so handsomely and so justly, and to whose energy, skill, and conduct we are so deeply indebted for the treaty which has been effected. As for the results which may follow that treaty, it is not for me to express any particular expectation; but it is impossible that it should not be attended with the most important and beneficial results. It is perfectly true, as stated by the noble Lord, that the mercantile interests of this country ought not to rush too impetuously into the market thus newly opened to them until the results of the treaty shall be better developed, and if individuals do so it is possible they may meet with temporary and partial disappointment. But when we consider the magnitude of the population with which we are about to open an intercourse, the vast resources and wealth of the empire with which we are about to have an extended commerce, how many wants they have which it is in our power to supply, and how many things they possess which we should be glad to take in return, it is impossible not to see that great and important advantages must result from the successful termination of this war. There is one circumstance which cannot escape the attention of the people of this country, which is, that although, thank heaven, we have lately enjoyed many years of peace, yet our army and navy have not forgotten the art of war in the relaxation of that peace; that although the sword has rested in the scabbard it has not rusted there; and that although the thunder of our navy has now long reposed in slumber, yet when roused into action, it is not less formidable than in former days. It cannot but be satisfactory to the people of England to observe, that whenever events may call for the display of our military or naval power, to maintain the interests, or vindicate the honour of the country, the army and navy of Great Britain will be found as they have ever been, fully equal to the maintenance of those interests or the vindication of that honour. This also is a circumstance worthy of note, that on those occasions, when of late years our army and navy have had to act, great events have been brought about by a comparatively small number of men. The noble Lord has stated the number of the forces employed in China, and that number has proved fully adequate to the service required of them, although far less than those numbers which we have seen employed in active service in former years. Thus these events must furnish to the people of England the double satisfaction of finding that the army and navy are fully able to sustain the reputation they acquired at any former period, and of observing also that comparatively small portions of those forces are capable of accomplishing important results. I have the greatest possible satisfaction in giving my cordial and hearty concurrence to the motion of the noble Lord.

Question put as follows,—

"That the thanks of this House be given to Lieutenant-general Sir Hugh Gough, G.C.B., Vice-Admiral Sir W. Parker, G.C.B., and Commodore Sir Gordon Bremer, K.C.B., for the distinguished skill, intrepidity, and indefatigable zeal, with which they have conducted the combined operations of her Majesty's naval and military forces on the coast and on the inland waters of China; whereby a series of brilliant and unvaried successes has been concluded by an honourable peace on the terms proposed by her Majesty.

"That the thanks of this House be given to Major-general Lord Saltoun, K.C.B., Major-general George Burrell, C.B., Major-general Sir Robert Bartley, K.C.B., Major-general Sir James Holmes Schoedde, K.C.B., and the other officers of the navy, army, and Royal Marines, including those in the service of the East-India Company, both European and native, for the energy, ability, and gallantry with which they have executed the various services which they have been called upon to perform.

"That this House doth acknowledge and highly approve of the gallantry, discipline, and uniform good conduct displayed by the petty officers, non-commissioned officers, and men of the navy, army, and Royal Marines, including the troops in the service of the East-India Company's service, both European and native; the cordial good feeling which has subsistsd between all the branches of the united services; and the honourable emulation exhibited by all in the discharge of the various duties required by the peculiar naure of the operations to be performed; and that the same be communicated to them by the commanders of the several ships and corps, who are respectively desired to thank them for their gallant behaviour."

Sir *C. Napier* agreed with the noble Lord who had just sat down as to the clearness with which the noble Mover had brought forward the whole matter, and he felt he should not do his duty if he did not bear testimony to the gallant conduct, not only of Sir W. Parker and the naval officers, but of the military officers likewise. He had been accustomed to go up rivers, and storm batteries; and he knew what it was: and he must say, that he thought the skill displayed by Sir W. Parker was unequalled in naval history. He quite agreed too in the eulogium pronounced upon Sir Gordon Bremer, and at the same time he must express his regret that the noble Lord should have omitted to mention Captain Senhouse, who, in the absence of Sir William Parker, had made the first attack upon Canton, and had lost his life in his devotion to the service. There was also another circumstance which the noble Lord had omitted to mention, that, in the first attack upon Canton, at the latter part of the destruction of the batteries, Sir H. Gough arrived in time to avenge the death of his (Sir Charles Napier's) gallant Friend and relative. He would now say no more than express his cordial concurrence in the motion.

Sir *G. Staunton* said, that whatever might be the opinion of any person of the original policy and justice of the war; and he was perfectly satisfied both of the abstract justice and practical expediency of our operations in China, it was impossible not to entertain peculiar satisfaction at its brilliant result. It was a great consolation to consider that whatever temporary suffering the Chinese might have experienced, yet the ultimate consequences of the war would be more beneficial to them than to this country. It would, moreover, be the first step towards introducing Christianity into that great empire. He must further express his regret that the name of Sir H. Pottinger could now be included in the present vote of thanks. He was sure, however, that if it could have been done that distinguished officer would have received the unanimous thanks of the House.

Sir *R. Inglis* said, that, without entering into the question of the origin of the war, he concurred with the noble Lord who seconded the motion in thanking Heaven that we had been so long at peace, and he would add that he thanked God that the wars in which we had been recently engaged, had been brought to an end. But while by the present motion they thus acknowledged the obligation which they felt to be due to the human instruments of success, they ought, as Christian legislators, also to express their gratitude to that great source from which all blessings were derived. Although he would not yield to any one in his sense of services rendered by the army and navy, and by the plenipotentiary, yet he desired that some one should express that feeling which, although it could not be decorously put to a vote, as if it were a matter which would be negatived, might yet be properly expressed in debate—namely, gratitude to the great cause of the blessings we had received. He trusted, that the Chinese would receive more substantial benefit from the termination of the war, by the example of our moderation and humanity, and by the introduction of the Christian principles which we professed, than we had derived glory from the manner in which the peace had been achieved.

Mr. *Hume* concurred in the motion, but wished for an explanation why Sir Henry Pottinger was not included in the vote? The evils at the beginning of the war had arisen from the want of such an able director. He had been glad to observe the cordial feeling that had subsisted between the army and the navy.

Sir *R. Peel:* The unanimous disposition of the House to express their commendation of the zeal, energy, and gallantry, as well of the officers in command as of every man concerned in these operations, induces me to say, that I most cordially concur in all those expressions of admiration which I have heard. With respect to Sir Henry Pottinger, I think that the opportunity which I took on a former occasion of publicly acknowledging the sense entertained by the Government of the services of that distinguished man, must exempt the Government from the suspicion of wishing to throw any slight upon him. I then took the opportunity of stating, that nothing could exceed the zeal, discretion, and forbearance of Sir Henry Pottinger. And now, when others concerned in the same expedition are to receive a mark of public gratitude, I should be sorry to allow the opportunity to pass without repeating the sentiments I then expressed. I wish it had been consistent with usage to have included the name of Sir Henry Pottinger in the vote; but at the same time I think it of great importance to adhere in these matters strictly to precedent; because if we did not do so—if we did not strictly adhere to those precedents, which I think have been founded upon good sense, every omission that we happened to make in a vote of this nature would imply a censure. We avoid the risk of such an implication by adhering to the established usage. If the hon. Gentleman were right in supposing that Sir Henry Pottinger had had committed to him the conduct of the naval and military operations, in that case, undoubtedly, Sir Henry Pottinger's name ought to be included in the vote. But Sir Henry Pottinger was her Majesty's plenipotentiary, entrusted with the diplomatic arrangements of the expedition against China, and all the direct control that Sir Henry Pottinger had over the naval and military operations was to direct their suspension, in case his negotiations arrived at such a point as to render a suspension of hostilities desirable. I apprehend, that there is no instance in which a diplomatic agent of the Government has received the thanks of Parliament for the successful completion of any negotiation, however important, or of any treaty, however advantageous to the interests of this country. This explanation, I think, will convince the hon. Gentleman and the House that as Sir Henry Pottinger's functions were diplomatic, not military or naval, no reflection is cast upon his great and valuable services by the omission of his name in the vote of thanks now under the consideration of the House. I certainly think, that the precedent of including the names of diplomatic servants in votes of this nature is one that we ought to pause before we establish. I can well enter into the feelings of this distinguished man—distinguished not only for his civil qualifications, but for his military service— when he sees this public acknowledgment of the brilliant achievements of his brothers in arms, and feels that he cannot partake in the thanks of Parliament. As a proof of the entire approbation which her Majesty's Government entertains of Sir Henry Pottinger's services, and of the confidence which we place in him, I may say, that, finding him appointed by our predecessors, we took the earliest opportunity of assuring him that a continuance in her Majesty's service in China would be acceptable to us. At the same time we have intreated him to give to the public the advantage of his services, by continuing to conduct the affairs of Great Britain in that quarter of the globe. I fear that his answer will be in the negative. He has this excuse, that such has been his devotion to the public service, that for the last forty-six or forty-seven years he has been employed in India, and yet in all that period has only been absent one year and a half. We have, however, entreated him to remain until we can benefit by his opinions and advice upon many important matters connected with the adjustment of our future relations with China; and I assure the hon. Gentleman that, if Sir Henry Pottinger will recall his decision and remain permanently in China, he will possess the entire confidence of her Majesty's, Government, and we should think that we had succeeded in making the arrangement of all others the most beneficial to the country. I hope I have said enough to show, that her Majesty's Government are not insensible to the high services of Sir Henry Pottinger, and that we regret, as sincerely as the hon. Gentleman can do, that the adherence to established usage precludes us from making a public acknowledgment of them.

Resolutions agreed to *nem con.*

It was also

Ordered, "That Mr. Speaker do communicate the said resolutions to Lieutenant general Sir Hugh Gough, bt. G.C.B. Vice-Admiral Sir William Parker, G.C.B., Commodore Sir Gordon Bremer, K.C.B., Major-general Lord Saltoun, K.C.B., Major-general George Burrell, C.B., Major-general Sir Robert Bartley, K.C.B., Major-general Sir James Holmes Schoedde, K.C.B; and that Lieutenant-general Sir Hugh Gough, Vice-Admiral Sir William Parker, Commodore Sir Gordon Bremer, Major - general Lord Saltoun, Major - general George Burrell, Major-general Sir Robert Bartley, Major-general Sir James Holmes Schoedde, be requested to signify the same to the officers serving under their respective commands."

HEALTH OF TOWNS.] Mr. *Mackinnon,* in moving for leave to bring in a bill to improve the health of towns, by preventing interments within their precincts, promised not to detain the House by many observations. It was his anxious desire, that this bill should have been taken up by her Majesty's Government; but as the right hon. Baronet, the Secretary of State for the Home Department, did not appear willing to undertake it, he (Mr. Mackinnon) felt it to be his duty to proceed with the measure which he had proposed. When he first introduced the subject to the attention of Parliament; it was received with a levity which it did not deserve. Opinion, however, had since changed upon the subject; the public prints had taken it up; the evils of the existing system had been fully exhibited and strongly deprecated, and it was now perfectly impossible that that system could be allowed to continue. It had been asserted on the part of the Dissenters, that the measure which he brought forward had been framed by the Bishop of London, or by some of the dignitaries of the Established Church, and that it was designed to injure the dissenting interests. He emphatically denied both those assertions. The bill emanated entirely from himself, and had no design or intention of dealing with Dissenters in any other way than it proposed to deal with the members of the Established Church.

Mr. *Hume* agreed with the hon. Member for Lymington as to the necessity of adopting some measure of this kind. The subject, however, was necessarily one of so much detail and of so much complication as to render it next to impossible for an individual Member to frame and carry such a measure as the great importance of the subject demanded. He should be glad, therefore, to see it undertaken by the Government. He was satisfied, that if some measure of this kind was adopted, and some general regulations laid down to secure a more perfect drainage and a better plan of building, London would become one of the healthiest places in the world.

Sir *J. Graham* admitted the great importance of the three subjects to which the hon. Member for Montrose had alluded. It was, undoubtedly, desirable to prevent interments in cities, to secure a perfect drainage, and to improve the mode of building. Each and all of these subjects were under the consideration of her Majesty's Government. With respect to interments in cities, careful inquiries were now in progress. All the appliances which the Government could command were directed to obtain information upon the subject, and although they were not as yet prepared with any measure sufficiently mature in details to command the consideration of the House, he did not entirely despair of being able, before the Session terminated, to bring forward some proposition upon the subject. Not being prepared to do so at the present moment, it would be unbecoming in him to offer any opposition to the introduction of the measure proposed by the hon. Member for Lymington. At the same time he was bound to say, that if the measure of this year resembled that which his hon. Friend introduced towards the close of the last Session, he could not hold out the prospect that he should feel it consistent with his duty to give it his support. With respect to the subject of drainage, it was the intention of Government to appoint a commission, composed in a great part of scientific men, to investigate the question, and to ascertain the best principle upon which a general system of drainage could be adopted. With respect to the regulation of building, he had already given notice to the commissioners of Woods and Forests that it was the intention of Government to bring in a bill for the better regulation of building in the metropolis. That bill had been framed with great care, after due consultation with the ablest architects.

Mr. *Hawes* thought the statement of the right hon. Baronet extremely satisfactory. All three of the subjects to which he had adverted were of the utmost importance to the metropolis. After the statement which had been made by the right hon. Gentleman, he hoped that the hon. Member for Lymington (Mr. Mackinnon) would inform the House what course he proposed to take. He (Mr. Hawes) had a strong objection to the measure proposed by the hon. Gentleman, although it was not his intention to oppose the introduction of it; but after the declaration made by the right hon. Baronet that the subject was immediately under the consideration of Government, and that it would probably be in his power, before the Session ended, to introduce a bill upon it, he hoped that the hon. Gentleman would not press his own measure to a second reading, until some further progress had been made in the inquiry which her Majesty's Government had instituted.

Mr. *Bickam Escott* would not oppose the introduction of the bill; but at the same time he could not help doubting whether his hon. Friend had read the evidence given before the committee, upon whose report he supposed the bill was founded.

Mr. *Mackinnon* said, that after the representations which had been made to him from almost every quarter, of the injurious effects that resulted from the present system of interments, he should feel it to be his duty to proceed with his bill. He had been appealed to by many hon. Friends to postpone his bill, in order that the Government measure might be brought forward. If by postponing it he could think that he should be accelerating the measure of Government, he would willingly adopt that course; but, believing that by urging his own bill forward there would be a greater chance of stimulating the right hon. Baronet the Secretary for the Home Department to forward his own measure, he should persist in his motion for leave to bring in the bill.

Sir *W. Clay* approved of the object of the measure, but was of opinion that his hon. Friend would act more wisely by postponing it until the Government bill should be brought forward, than by pressing it to a further stage.

Mr. *M. Phillips* had received communications from the town he represented (Manchester) hostile to the measure which the hon. Member introduced last year, and as the present bill appeared to be quite similar to the former one, he apprehended that the same objections would be urged against it.

Motion agreed to. Leave given.

THE AFFGHAN WAR.] Mr. *Roebuck* said, that in consequence of the motion for a vote of thanks to Lord Ellenborough having been postponed from Thursday next to the following Monday, it would be impossible for him to bring forward his motion upon the subject of the Affghan war on the day he had appointed; and as other engagements would prevent his attendance in the House on the day fixed, he wished to ask the right hon. Baronet to postpone his motion for a vote of thanks till the Friday following.

Sir *R. Peel* was very sorry if by delaying the motion for a vote of thanks, he had interfered prejudicially with the motion of which the hon. and learned Gentleman had given notice. Nothing was further from his intention than so to interfere. He had fixed his motion for Monday next, because (and in noticing the fact, he hoped he was not transgressing the usages of Parliament) that they had been fixed for a similar motion in the other House of Parliament. The papers took a longer time printing than was expected, and on bringing them up yesterday, and finding that they consisted of nearly 500 pages, he felt that he was conforming with the general sense of the House by reluctantly consenting to postpone his motion till Monday. With respect to the motion itself, he, referring to precedents, should confine the vote of thanks strictly to military operations. He could not now bring the motion forward at an earlier period, consistently with the usages of the House, than Monday. He could not conceive why it should override the motion of the hon. and learned Gentleman. It would be quite competent for him to bring forward his motion on Tuesday. Considering all the circumstances, he (Sir R. Peel) felt that any further delay of his motion would be inconvenient.

Subject at an end.

THE DISTRESS OF THE COUNTRY—ADJOURNED DEBATE.] The order of the day for resuming the Adjourned Debate on the Distress of the Country having been read,

Mr. *Ewart* rose and expressed his approbation of the motion which the noble Lord the Member for Sunderland, had brought under discussion. He considered the noble Lord justified in making the motion by the condition, feelings, and sufferings of the people. If he went further than the noble Lord, and broached doctrines which the noble Lord might not be prepared to support, he begged the House to believe, that he should do so from the sincerest conviction of their soundness. He hoped he should be considered guilty of no discourtesy towards the hon. Member for Knaresborough, if he did not dwell on the arguments contained in the speech with which that hon. Member closed the debate of last night. The hon. Gentleman's main arguments were directed against machinery and free-trade. Considering that her Majesty's Government, to their great credit, were the advocates equally of machinery and the extension of free-trade, he should leave the hon. Member to be answered by his own friends, by their conduct and principles. He (Mr. Ewart) had heard with mingled feelings of satisfaction and surprise the speech of the right hon. Gentleman the Vice-President of the Board of Trade. It was a speech of mingled tendency. All the principles of the speech were in favour of free-trade, while all its parentheses were in favour of protection. What did the right hon. Gentleman say on the subject of the Corn-laws? He did not deny that they were a source of evil; while on the subject of the importation of cattle he was equally inconsistent. The right hon. Gentleman consoled, on the one hand, the country gentlemen by assuring them that the importation of cattle had been exceedingly small, while on the other hand, he consoled the people by telling them that he was sorry he could not hope for the importation to be greater. He had always been of opinion, that no minister had ever entered the portals of the Board of Trade, whatever his previous opinions might have been, without sooner or later himself becoming a free-trader. Such was the case with Mr. Huskisson, an illustrious example; and such was the case with respect to Mr. Deacon Hume, one of the most venerated authorities upon the subject; and such was the case with the equally eminent authority, Mr. M'Gregor, and now such is the case with regard to the right hon. Gentleman the Vice-President of the Board of Trade. And although at present the right hon. Gentleman was opposed to any alteration in the sugar duties, yet he (Mr. Ewart) did not despair of seeing a measure introduced under his auspices for carrying a reform of those duties into effect. The Vice-President of the Board of Trade very justly took credit to the present Government for the commercial reforms which were effected last Session. He appealed to the experience which the revival of trade had afforded as a testimony of the truth of the principles of those measures. He had perused those documents which were called "Circulars," and "The Price Current," and he could confirm the assertions of the right hon. Gentleman. Trade in the article of turpentine, on which the duty had been reduced, had already exhibited symptoms of improvements; so also with respect to olive oil and to hides. The duty on rice had been reduced; and since the reduction, the trade in that article between Liverpool and the United States had considerably revived. Again, with respect to palm oil, a great increase of consumption had taken place; and, last of all, the trade with Canada, especially in the article of timber, had shown symptoms of improvement. With respect to timber, he could not help adverting to the great evil attending the postponement of the operation of the altered rate of duty upon that article. In consequence of the postponement of the alteration in the duty, the merchants could not get rid of their stock. This confirmed the opinion he had always maintained, that as soon as the Government adopted a sound principle, it ought to be carried into effect. Though in detail these articles might be considered unimportant, yet they were important as proving the soundness of the principle on which the alterations in the duties had been made. And what did it further show? Why, that if the right hon. Baronet (Sir R. Peel) had gone successfully thus far in the establishing of free-trade principles, he would be justified in going further. If in these articles the right hon. Baronet had gone right, how much more justified would he be in applying the same principles to the articles of sugar and corn? He (Mr. Ewart) noticed with great regret, that at the opening of the present Session, the right hon. Baronet offered no observations with respect to either of those two most important subjects. If the most vital question at this moment was that of corn, the next to it unquestionably was that of sugar. The impression which the right hon. Baronet had left on the minds of those who heard him was, that the question whether or not he would be driven to deal again with the Corn-laws, depended on the agitation which might exist in the country upon the subject. The free-trading part of the community did not understand the right hon. Baronet to say, that he was against an entire repeal of the Corn-laws; they only understood him to say, that he was against any alteration of the law as it stood, for the present. Therefore the advocates of free-trade ought to feel that all depended upon themselves; not by taking any violent proceedings, which they all abjured, but by adopting those legitimate and constitutional means of informing the mind and influencing the feelings of the community. Let the friends of repeal assure the right hon. Baronet that of this sound and constitutional agitation there will be no end. Lectures, treatises, and meetings, whether in the form of literary conversations or social tea parties, were the means which would be used throughout the country to overcome that gentle resistance (for he confessed the resistance was not very strong) which the feelings or prejudices of the right hon. Gentleman's supporters now offered to the dictates of sound reason. Seeing, however, that for the present there was no chance of obtaining any change in the law respecting corn and sugar, it became a duty to ask what minor changes they were likely to obtain? It appeared that the right hon. Gentleman was about to open our trade with foreign countries; but it was with regret he observed that, although the right hon. Gentleman had adopted some, yet he had not adopted all of the principles advocated by the late Mr. Hume, of the Board of Trade. That Gentleman laid it down as a principle that we should extend our commerce with the world irrespective of treaties. Diplomacy, he said, ought not to be the mistress of commerce, but commerce ought to be the mistress of diplomacy. Mr. Hume was asked, "Is it your opinion that trade would flourish more without the intervention of commercial treaties?" His answer was, "I think we should settle our commerce better ourselves. I go on the principle that it is impossible to import too much. We may be quite sure that the exports would follow in some form or other." This was sound doctrine, and he should desire to see the right hon. Baronet adopt it. But this he refused to do. What were the commercial treaties the right hon. Gentleman was about to adopt? He could not do better than to show how much this country was losing by the non-intercourse system with Brazil, with which we could carry on a very profitable trade if happily we should conclude a commercial treaty. In 1827 there entered into the port of Rio 211 British ships; in 1841 there entered only 123 British ships; and of these 123, only 17 were cleared out of the United Kingdom, showing that a great portion of the trade, even in our own ships, went to foreign ports. Compare this with the ships of the United States. In 1841, 146 American vessels left the port of Rio, 116 of which sailed for the United States. If he were to refer to the ships of other countries, the same unfavourable comparison would be presented. In 1827, 136 American ships entered Rio; in 1841 these were increased to 146; in 1827, 14 ships from Hamburg entered Rio; in 1841 they were increased to 44. In 1827, 24 Swedish ships entered the same port; in 1841, they were increased to 73. In 1827, 3 Danish vessels entered that port; in 1841, they increased to 63, while, during the same two periods, the decrease of British shipping was from 211, in 1827, to 123 in 1841. This was the result of the restrictions imposed on our trade in sugar and coffee with the Brazils. He would not speak of the article of sugar, but would confine his observations to the article of coffee. The coffee crop of the Brazils, in 1841, amounted to 1,013,915 bags. Of this quantity the United States took 431,000 bags, being an increase over the amount taken in 1840 of 125,000 bags. What did England take? Out of this large crop England only took 69,000 bags, whereas, in the preceding year, we took 88,303 bags; thus, while the trade between the United States and the Brazils was increasing, the trade between England and Brazil was decreasing. If we were to establish a sound system of trade with Brazil, British ships would come direct to England, and the consequence would be that this country would be made the great *entrepôt* of commerce; which, in justice to her capital and her people, she ought to be. England ought to be the cheapest country in the world; and if the right hon. Baronet would pursue those sound principles which he had commenced acting upon, that great object would be achieved. At the beginning of this Session (turning again to the subject of commercial treaties), he had alluded to the importance of our trade with Holland, more especially respecting the port of Java. Since then a report, drawn up by Mr. M'Gregor, had been laid on the Table of the House. That report confirmed the view he at that time took upon the subject. He hoped (since they must carry on their trade through the organ of diplomacy) that some pains would be taken to open a trade with Java. Holland could not supply the manufactures demanded by Java. The growth of sugar in Java had greatly increased. In 1831 the amount was only 7,000 tons while, now, it amounted to 65,000 tons. Hitherto the trade in coffee with Java had been a monopoly, but he hoped that if we concluded a treaty with Holland, that trade would be thrown open. Nothing was more common with the advocates of free-trade to allude to—what had now become a trite subject—the opening of a trade with the United States in the article of corn. Corn was the principal article which the United States had to export, and for which England would gladly exchange her manufactures. According to the last account, the exports of our cotton manufactures to the United States had decreased. The diminution from 1841 to 1842 had been no less than from 38,000,000 of yards in the former year, to 21,000,000 of yards. Calico goods were the most important branch of our cotton manufacture, because a greater amount of labour was employed in it. Our cotton yarns went to supply the means of foreign manufacturers, but calico goods employed native labour. It was, therefore, the article of most interest for us to export. The exports of calico to the United States and Brazil in 1838 amounted together to 121,000,000 of yards, whereas in the year 1842 the exports of the same articles to those countries had fallen off to as low as 80,000,000 of yards. This was, in his opinion, sufficient to account for the present depressed state of that most important portion of our cotton trade. Such, then, appeared to be the minor resources on which they had to depend. The right hon. Baronet would not open to us the corn trade, nor was he able yet to open to us the sugar trade; these were the minor aids which diplomacy and commercial treaties had to offer to commerce. He hoped the right hon. Baronet would be able to accomplish these minor reforms; and since a greater reform in our commercial code could not be at present effected by him in consequence of the resistance of his friends, he hoped that they would finally be forced upon the right hon. Gentleman by the power of his opponents. He had often told the friends of free-trade agitation that they must rely upon themselves for success, and not build on the hope of their cause attaining (without their own exertions) an ascendancy in that House. Already had the efforts and reasonings of the advocates of free-trade wrought conviction on the minds of many of their former opponents, and those, too, who lived in agricultural districts, and on whom it was never supposed the truth could dawn. But conviction had at length reached them, and he hoped the contagion would extend, and that soon they would have a large portion of the agricultural interest uniting with the majority, if not the totality, in the effort to destroy the baneful Corn-law colossus which had so long been the terror of the land. But although the country had not the benefit of a direct trade in corn opened with the United States, under the auspices of the right hon. Baronet, yet he was pleased to think, that there were some symptoms of an indirect and somewhat oblique trade in corn with those states springing up through the ingenuity of the noble Lord, the Secretary for the Colonies. Papers had not yet been laid before the House, to show by what ingenious contrivance a sort of commercial contraband trade in corn with the United States was to be carried on; and by what means American corn was to insinuate itself over the boundary of Canada, and ultimately come within the restricted confines of England. But he must confess, that next to a direct practice of free-trade, this species of contraband trade was the most desirable thing that could be wished for. He hoped that the commerce of the country would thus find an indirect source of trade furnished by the ingenious contrivance, or happy negligence of the noble Lord, the Secretary for the Colonies. The noble Lord, the Member for Sunderland, last night dwelt, in an eloquent and able manner, upon the distress of the country. He would not attempt to speak upon a theme which had been so much more ably treated of by that noble Lord. He felt bound, however, to deliver his opinion candidly, whatever might be the sentiments of the hon. Gentlemen by whom he was surrounded; and be would, therefore, state his conviction, that they never would obtain a full and entire development of the principles of free-trade unless they were prepared to reduce the customs and excise duties to such an extent, as to relieve trade from many of the burthens which had hitherto oppressed it, and to impose increased and direct taxation on the amassed capital of the country. Hon. Gentlemen might consider this a new and a startling doctrine, but he was convinced they would find it entertained by many of their constituents, and it was daily gaining ground. Some such remedy he was convinced was indispensable, in order to enable our manufacturers to maintain the struggle in which they were engaged with the foreigner. To prove this, he would draw attention to the state of the export trade in cotton goods. Taking the years 1838 and 1842, it appeared, that though the amount in bulk exported had increased very greatly, the value had materially diminished; the labour was greater, while the receipts were smaller. In 1838 we exported 171,000,000lb. of cottons, and received for them about 17,000,000*l.* sterling; in 1842 we exported 268,000,000lb., and received for them only about 15,000,000*l.* sterling. That was the shortest proof of the difficulties we had to encounter from the immense amount of foreign competition. The consequence was, that new machinery was set to work, to produce the increased bulk of goods which was required. Then, again, it was well known how much hand-loom and power-loom cloths had declined. Taking up *Burn's Commercial Glance*, a very valuable work, published in Manchester, it appeared from the statistics given there, that the demand for these cloths had fallen off immensely since 1839. Another symptom of the increase of competition was, that the manufacturer was driven to work up the lower prices of cotton, because he must have cheapness one way or the other to enable him to compete with the foreign producer. The right hon. Baronet (Sir R. Peel), if he mistook not, had received an application from the manufacturers of Leeds, begging him to reduce the duty on sheep's wool. The trade in this article had fallen greatly. In 1839, 214,000 bales were imported; in 1842, only 142,000 bales. The fact was, the right hon. Baronet could not reduce the duty on sheep's wool, without at the same time reducing the duty on cotton wool, and this he must do sooner or later; for it would be absolutely necessary, he would find, to abolish the duties not only on these, but on all raw materials, in order to enable our manufacturers to compete with the foreigner; and the right hon. Baronet would have to combine with a repeal of the duties on raw materials, that of the duty on the subsistence of the people, the raw material of labour itself. The existing struggle of the manufacturers pointed to legislation in two directions—a reduction of the excise and customs duties, and a reduction of the duties on raw materials, and on the means of subsistence of the operative. Indeed, there were those who thought that it would be good for the country if those two ancient institutions, the Excise and Customs, were abolished altogether. He did not go quite so far as that; but he thought they might be reduced to a very considerable extent, with signal advantage to the country. He did not go so far as some persons, but he said that the tendency of legislation in future must be towards the reduction of indirect taxation. To fortify himself on this point, he turned to a very eminent authority, who seemed to have anticipated the grievances we were suffering and the times in which we lived. Mr. Huskisson, in a speech on the distress of the country delivered in the year 1830, which the right hon. Baronet probably recollected, said that he felt himself bound, by a sense of public duty, to ask the House whether they could give adequate relief unless they emoved the pressure on that part of the national capital which was devoted to the employment of abour, by placing a part of its burthen on that part which was not so engaged. Mr. Huskisson went on to recommend direct taxationas a means of increasing the consumable power of the country, and to declare that if, at any future day, a sense of public interest should induce the Government to act on those views, he should give them his cordial assistance. Now this, which was said in 1830, might very reasonably be applied to our situation in 1843. The right hon. Baronet still preserved a mysterious silence on the subject of the Corn-laws; another year of agitation must elapse before anything was to be done; for the right hon. Baronet, while he declared that he would not alter the Corn-laws had appended two significant words—"at present." The right hon. Baronet had thus held out hopes to the advocates of free trade on the one hand, while he allayed the fears of his agricultural supporters on the other; but he conceived that this could not go on long. If it was justice to continue the Corn-laws, it was injustice to the agricultural interest to keep them in suspense. At present they did not know whether they stood on a sliding scale or *terra firma*. He trusted that, by another year, agitation would be so generally spread that the right hon. Baronet would not be able to resist the pressure upon him. By repealing those laws he would open new markets for our produce, and by diminishing the pressure of indirect taxation he would increase the power of consumption in this country, and render the manufacturer more competent to enter upon the struggle with foreigners. He would be more likely by these means to scatter food through the population than by any other. These were the demands of justice, they were the demands of sound policy; and he believed that, before another year was past, all classes of monopolists, whether in that House or the other, would be forced to give way, and the measures he had adverted to pressed upon Parliament by the people acting with the energy and unanimity arising from a sense of the justice of their demand.

Mr. *Liddell* said, that it would be difficult to make out from the speech of the hon. Member, who had just addressed the House, any argument in support of the present motion. It appeared to him, that the present motion was neither more nor less than a vote of confidence or of want of confidence in her Majesty's Government. He apprehended, that nobody could imagine that the distress which prevailed in the country could be in any way alleviated by an inquiry into the causes of that distress by a committee of that House. Only that it would take up too much of the public time, that it might be taken as a want of confidence in her Majesty's Government, and he should be glad that the noble Lord carried this motion, just to see what he could make of it. He trusted, however, that the House would reject the motion by a large majority. The hon. Member who had just sat down, as far as he understood his speech, instead of expressing want of confidence in her Majesty's Government, in the course of his argument approved of the course they had pursued, though he wished they had proceeded with greater rapidity. He would, therefore, rather apply himself to the speech which had been delivered by his noble Friend, the Member for Sunderland, when introducing his motion. It was not the first time that he had stood in opposition to the noble Lord, and he was always to be respected by his opponents for the ability, the honesty, the integrity, and singleness of purpose by which the noble Lord was distinguished in all transactions whether in public or in private life. He was sure, that in any observations which he felt it his duty to make, the noble Lord would give him credit for acting in accordance with those feelings of respect which were justly due to the character of the noble Lord. The statements of the noble Lord to which he would principally apply himself, were those which related to that part of the country with which he himself was more particularly connected. The noble Lord had alluded to the condition of Sunderland which he admitted was far from satisfactory, and also to the condition of the two great agricultural counties of Northumberland and Durham as the foundation for his motion. With respect to the condition of the port of Sunderland, he was not prepared to dispute the facts adduced by the noble Lord, but he was prepared to state other facts in explanation of them. It was well known, that the prosperity of the port of Sunderland depended on two branches of trade, namely, the coal trade and shipping. The difficulties which the coal trade at present suffered were difficulties common to many branches of trade. These difficulties arose from the immense competition that prevailed in every branch of that trade which, within the last few years, it had been thought offered such inducements to the employment of capital, that an immense amount of capital was invested in coal-mines, and almost every portion of the extensive coal-field of Durham had been consequently brought into production. The noble Lord was aware, that all the coal from the district south of the Wear, and a great deal of coal from the coal-field north of the Wear, had heretofore come to the port of Sunderland. But the noble Lord was also aware, that with respect to a great portion of the coal from the district north of the Wear, since the establishment of certain railways coal was transferred to the river Tyne, because its port was found to be more convenient and commodious than the port of Sunderland. The noble Lord was also aware that, within a few years back, the port of Seaham harbour had been also established, and that all the coal from the extensive collieries of the Marquess of Londonderry, by whom the harbour was completed, were now brought to that port. The noble Lord must also know that upon the line of coast, not more than twenty miles from Sunderland, a new harbour—that of Hartlepool had been established. It was to be recollected, that to those causes was, in some degree, owing the decline of the prosperity of Sunderland. Besides this, within the last few years, the port of Hartlepool had risen into rapid and considerable importance. That town had some time ago felt anxious to be disconnected from the port of Stockton, and had made an application to that effect to her Majesty's Government, resting its claim on the importance of its trade, and the amount of business now transacted in the port of Hartlepool. The memorial was signed by the merchants, bankers, shipowners, and others interested in the trade of the port of Hartlepool. The memorial stated that, in former days, Hartlepool was an important maritime station, but that for centuries it had declined, and in 1832 it was little more than a fishing town, and at this time it was at its lowest point. In that year a company was formed for the formation of docks and a railway, which connects Hartlepool with valuable coal mines, for the shipment of which Hartlepool afforded a great facility. He would ask the House to attend to the progress of this town, and they would see that the depressed state of Sunderland was owing not so much to the general condition of the country as to other circumstances affecting its trade. In 1835 there were only three sloops registered for the port of Hartlepool. In 1843 there were ninety ships, the tonnage of which amounted to 20,180 tons; and representing a capital of 208,800*l*. In 1842 2,678 ships with 559,766 tons of coal cleared coast-wise, and 41,994 tons of shipping entered the harbour for refuge from that port. Since the tariff, 67 British and 141 foreign ships had cleared from Hartlepool for foreign ports. When the House had heard so much of the state of Sunderland, it was right that it should be shown, on the contrary, that although Sunderland had become depressed, in the very same time the trade of Hartlepool had increased. It was quite true that the coal trade was considerably embarrassed, and why? Because there was an amount of speculation in that trade, and an amount of capital invested and powers employed in the raising of coal, which he did not hesitate to say, were adequate to supply double the demand for that article in England and the rest of the world. In consequence of these circumstances, the coal owners were compelled to enter into an agreement amongst themselves to apportion the supply to the different collieries in some proportion to the demand, and their respective powers of supply. The embarrassment in the coal trade did not arise in consequence of the existing state of the country, but from particular circumstances connected with that trade. The noble Lord stated, in the course of his speech, that the coal duty imposed last year had greatly augmented this embarrassment. It was not for him representing the constituency that he did, to say anything in support of that duty. He trusted that the Government would not continue that duty for a longer period than the circumstances of the country require. But, at the same time he felt grateful to the Government for the concessions they had made last year, in consequence of the representations urged upon them. They might congratulate themselves that they had made those concessions, for if they had persevered in the scale of duties originally proposed, the produce would have been *nil;* but he believed that, under the scale of duties that had been determined upon, little, if any, reduction in the amount of coals exported would take place. In answer to this part of the statement of the noble Lord he would refer to the condition of the port of Newcastle. At a dinner held in Newcastle, a short time ago, to celebrate the anniversary of the establishment of the Chamber of Commerce in that town, the collector of customs in returning thanks for his health, made a statement, which showed that the trade of that port had improved. The hon. Member read the statement, which showed an increase in the customs duties of that port for the year 1842, as compared with 1841 of 23,000*l*., the customs duties for 1841 being 409,815*l*., and those for 1842 432,787*l*. With regard to the quantity of coals exported from Newcastle in the first half-year of 1842, prior to the new impost, no less than 490,150 tons was exported, being the largest amount ever exported in the same period; but in the succeeding half-year after the imposition of this tax, there was an export of 301,850 tons, which seems a proof that the duty will not ruin the export trade. The statements that he had made were perfectly conclusive as to the condition of the ports of Newcastle and Hartlepool; and as the noble Lord's arguments drawn from the depressed condition of the port of Sunderland would seem to imply the evidence of general distress in the north of England, it was but fair to admit that these accounts indicated a more favourable prospect. At the same time, he (Mr. Liddell) was sorry to say, that no less than 5,000 persons were now in the receipt of in-door and out-of-door relief in the town of Newcastle, which showed that the labouring classes were not exempt from heavy pressure. The noble Lord had alluded to the fall of wages and the increase of the rates in the borough of Sunderland, but, with respect to the increase of rates, it should be recollected that those rates were not merely the poors'-rate, for they also included the borough-rate, the police-rate, the expense of the annual registration of Parliamentary and municipal electors, the expense of the registration of births, marriages, and deaths. The noble Lord had stated that he considered that the New Poor-law had nothing to do with the distress of the country. He differed from that opinion. He had been sorry to see the New Poor-law introduced into the north of England, where, however applicable to other parts of the country, it was not required. That law was carried on by an expensive machinery, and a large establishment, and that large additional expense could not be maintained out of the poor-rates without either an increase of their amount or a diminution of the amount of relief afforded tô those who were to receive it. The noble Lord had also alluded to the number of uninhabited houses in the town of Sunderland; but let not the House be under the idea that those were houses which had been deserted by their former inhabitants. He had been assured that the rage for house building, like the rage for ship building, had been carried to a great extent in Sunderland, and many of those new houses were never inhabited. The same had happened in Newcastle, where whole streets had been built, and though one could not help admiring the improvements, it was impossible not to regret the want of prudence in building houses which there was no likelihood of being inhabited for a quarter of a century. The noble Lord alluded to the prevalence of agricultural distress in Northumberland, and to the reduced price of stock; but some of the noble Lord's arguments on this head supplied their own answer. The noble Lord had admitted his belief that the new tariff had nothing to do with the depressed price of stock. In that opinion he (Mr. Liddell) concurred. He had conversed with many intelligent agriculturists, who were aware that that depression was owing to the state of the manufacturing districts, and to the reduction of the wages of the labouring classes. The fears from foreign competition were now at an end, as it had been shown that the agriculturists of this country had little to dread from the importation of foreign cattle. The noble Lord was obliged to rest his case, with respect to the farmers, not so much on the existing difficulties, as on those difficulties which might be expected to arise. He was sure, that whenever those difficulties should arise, the landlords would be willing to bear their full share—that they would feel that they were embarked in the same boat with their tenants, and that their interests were the same. He was sure that in the part of the country with which he was acquainted, the landlords would be prepared to render every assistance to their tenants and to bear their full share of any difficulties should any such arise. The noble Lord had spoken of a remedy for the distress that existed, and said that the markets for our industry ought to be enlarged. No doubt this for a time would afford a remedy, but the great powers of production which this country possessed would be able to over supply any new demand in a very short time. A friend, with whom he was conversing on the subject some time ago, and who was well acquainted with the manufactures of the country, made use of the remarkable expression, that "if to-morrow we could establish a railway communication with the planets Jupiter and Saturn, and found those planets filled with a population in want of all the necessaries of life, this country would be able to glut their markets in the course of six weeks." Although therefore it was the duty of that House and of the Government to make every effort for the extension of our trade with foreign countries, still those exertions should be accompanied with caution, and we must on no account sacrifice existing and substantial advantages in the pursuit of an object more or less precarious and uncertain. He contended that the noble Lord had altogether failed to make out his case, and that he had overlooked altogether two or three important considerations connected with the difficulties of the country. He (Mr. Liddell) had no hesitation in asserting that the deficient harvests of the last five years had something to do with the present distress. It was impossible not to admit that the real income of the country had suffered diminution to the extent of one-fifth annually, and however the deficiency of produce might have been supplied, pressure would inevitably be felt from so large and continued a deficiency. There was another cause which had not been sufficiently alluded to, namely — the financial derangements of the United States and the cessation of our trade with that country. In 1834 the declared value of our exports to the United States was 6,844,000*l.*, in 1835 it was 10,000,000*l.*, in 1836 it was 12,425,000*l.* Let the House see what a stimulus this must have given to the manufactures of this country. But let them mark the change which had taken place in 1837. The value of our exports to the United States in 1837 fell to 4,500,000*l.*, in 1838 it was 7,500,000*l.*, in 1839 it was 8,839,000*l.*, and in 1840, the last year for which he could obtain a return, it was only 5,283,000*l.* But since that period, the destruction of all securities whatever in the United States had caused a complete interruption of commerce. The mode in which the merchants of the United States traded with this country was as follows: — A merchant from New York came to Liverpool or London, and obtained credit for certain sums in this way. He obtained permission to draw bills on respectable houses in London, or some other town, payable at three or six months, and for which accommodation he paid 1 per cent. With these bills he went to Manchester, and as these bills were considered almost in the light of ready money, he obtained goods on advantageous terms. Those goods were immediately shipped to America, where they found a ready sale, and the money was returned to the acceptors of the bills in this country before the bills were presented for payment. The American merchants, in order to obtain those bills, brought as security over with them shares in the American stocks, or railways or canals, which at the time were considered good security, but at present nothing whatever would be given on the credit of American paper. The discredit is universal, and the stagnation complete, not for want of orders, but for want of confidence, as the parties giving them possess no credit, and can offer no security. It was easy to see that the interruptions of the trade heretofore carried on with the United States must have had considerable effect in producing the depression that prevailed amongst our manufacturers. Looking at the trade of the United States, and the returns to this country, it was not too much to say, that the loss of this trade was one main cause of the manufacturing distress of the country. There was another cause which had not been alluded to,—namely, the Income-tax; but all who knew the state in which the finances of the country was left by the late Government, would concur at once in the opinion that the present Government had acted most patriotically in imposing that tax upon property. Let the House contrast the conduct of the respective Governments of Great Britain and the United States, and see whether such a contrast will not teach us to cling with the more affection to our own institutions, rather than desire to exchange them for a form of Government, depending solely on the unstable will and capricious passions of the people. A few years since, the United States treasury contained forty millions of dollars; now, they were unable to pay even the just interest on their debts; which arose from the incapability of the Government of that country to tax the population. He, therefore, called on the House to express their confidence in the Government who had so nobly vindicated their title to govern the country, by meeting the evils which threatened to destroy its prosperity. He (Mr. Liddell) should not then enter into any discussion on the question of the Corn-laws, nor advert to them further than to declare his firm belief that nothing would be productive of more difficulty, more alarm, and greater mischief to the community, than any vacillation in the measures of the last year on that subject. He spoke for a numerous agricultural body, as well as for himself, when he said that he was perfectly satisfied with the declarations of the right hon. Baronet on that point; and he would add, that the more the character of the right hon. Gentleman was attacked, the more determinedly would they rally round him, and support him with their votes, and, if necessary, with their fortunes. They, the Conservative party, had constituted that right hon. Baronet, the defender of the ark of the constitution; and, however, his character might be undermined by unworthy insinuations, or his life threatened by open violence, they would continue to defend him as long as Providence should grant him health and strength to support the difficulties and labours of his responsible position. Under these circumstances, he (Mr. Liddell) should oppose the motion of the noble Lord.

Lord *Worsley* understood the hon. Member who had just sat down to imply that the motion to be decided that night, was not to be considered solely on the grounds on which it was brought forward by the noble Lord below him, but also as a vote of confidence or of no confidence in her Majesty's Government. He thought, that if the hon. Gentleman had recollected the terms on which hon. Gentlemen on the opposite side of the House were returned, that they were sent to oppose a ministry which had proposed an alteration in the Corn-laws; and if he now appealed to the country, he would find that there was not the same confidence in her Majesty's present Ministers which the agricultural party held at the last election. He believed, that the agriculturists had not the same confidence as the hon. Gentleman who had just sat down in the right hon. Baronet. He believed, that what the hon. Gentlemen had left out of his view they had marked well. It was said, that it was not intended to make any alteration in the Corn-laws during the present Session; but he believed that it was still the opinion of the great body of the agriculturists that the distress which they had begun to feel deeply was likely to be increased in consequence of there not being sufficient confidence in the stability of the Corn-laws. They believed that they had put a party in power to resist any change in the Corn-laws—they saw that this very party had introduced a change, and they believed that this same party would bring forward a further change. He was, however, departing from the question before the House, which was, whether they should resolve themselves into a committee of the whole House to consider the state of the country. The distress of the country, except by the last speaker had been admitted by all who had spoken. He was sorry that he must give the same account of the agricultural districts. In the part of the country with which he was connected, there never was such distress known at any previous time; many were out of employment, and many who were employed, received reduced wages; because it was considered by the farmers better to employ the workman at low wages, than to give the same wages as formerly, and do with one or two hands less. In his own county—and he believed that the same thing extended to other counties, where there had been an intention of improving the land by drainage—the farmers had waited to see how the wind would blow, before they laid out their money in improvements. He believed, thefore, that great as was the distress of the manufacturers, the distress of the agriculturists was as great, and would be more deeply felt. The question, however, was, whether the House could, by resolving itself into a committee, arrive at the causes of the distress and discover a remedy for it. His belief was, that if they went into a committee with the view of discovering a remedy, they would only see certain Members on that (the Opposition) side of the House attributing the causes of this distress to the consequences of a bad system of Corn-laws, and saying that they would be removed by an alteration of the system. His opinion was the reverse. He believed, that many on that side of the House did not agree with him, but that many who sat on the other side of the House did accord in the opinion, although they did not plainly state it, that it would be better for the country if a decided tone were taken by the Government with respect to the Corn-laws, and if they did not hear the right hon. Gentleman, the Vice-President of the Board of Trade, calling the late Corn-laws a temporary measure. He thought, that it would be better for the country if a stand were taken on the Corn-laws. If they went into committee, many Members on that side of the House would attribute the distress to them, and seek a remedy in a change, and a large portion of the other side of the House would be of a different opinion. In fact, that it would only be a Corn-law debate in a committee, and the result would be, that the committee would do nothing. He should be only, therefore, holding out false hopes by voting for a committee of enquiry into this distress, which the committee would not find the means of removing; and consequently, although he deplored the distress, he could not consent to the committee. If he thought it possible for a committee of the whole House to propose a remedy—if he thought that such a committee could come to a practical conclusion—he would waive his objections; but he did not believe that it would be otherwise than a Corn-law debate. In his opinion, they would not be able to get any nearer the truth, by weeks of discussion in the committee, than they now were; and he therefore felt it his duty to resist the motion of his noble Friend, as well as the amendment of the hon. Member for Knaresborough. He knew that he was acting differently from those with whom he usually voted, but he was bound to act in the manner which he thought best for the country, and to give his honest opinion.

Mr. *Gally Knight* said, that he certainly did not rise to reply to the noble Lord who had just sat down, for he was happy to find that, on this subject, the noble Lord coincided in opinion with himself, and he would, therefore, only take leave to compliment him on the candour with which he had come to that opinion, and on the courage with which he had avowed it. But he did rise, because he wished to make it clear, that if he refused to go into committee, it was not from any indifference to the distress and privations of the manufacturing towns—for, though he did belong to that class which the hon. Member for Stockport called " the basest section of the aristocracy," and though he was sent to that House principally by the Heads of Clay, yet he trusted that he was neither so foolish a man, nor so bad an Englishman, as not to be aware that the real interests of the agricultural and the commercial bodies were substantially the same, as not to behold the prolonged depression of the manufacturing towns with the sincerest sentiments of sympathy and regret. If he thought that, by going into committee, the depression would really be relieved, whatever might be the inconvenience, whatever might be the toil to which such an inquiry would subject hon. Members, he should say it was the duty of the House not to shrink from the test. But it appeared to him that his right hon. Friend the Vice-President of the Board of Trade, had clearly shown not only that the existing evils would be aggravated by such an inquiry, but also, that the only remedy which the hon. Gentleman opposite had to propose, namely, the total and immediate abolition of the Corn-laws, would not be likely to produce the desired effect. Such a step, a step which would inevitably displace a large amount of agricultural labour, it would be admitted on all hands, ought not to be undertaken without something more than a hope of a considerable extension of our foreign trade. But his right hon. Friend had shown that, as things are, not only would there be no reasonable hope of such an extension, but that, from the tariffs behind which other countries had entrenched themselves, there would be no extension at all, nor could we expect that any relaxations of ours would be followed by corresponding relaxations on the part of other countries, because the contrary had taken place. The noble Lord who asked for this committee seemed to think that that House had the power, by legislation, to remove the distress; but, unless a British act of Parliament would be recognised and obeyed by the chambers of France and the congress of the United States, no good would be done. He hoped that in time, other countries would arrive at a more correct view of their own interests, but he must say that to seize this moment for striking a blow at the Home market did appear to him little short of infatuation. The noble Lord in enumerating the causes of the distress, would not hear of over-production as one of them, but he had argued that part of the subject in a very extraordinary manner. The noble Lord had said that he could not understand what would be the inconvenience of being possessed of a great number of good and useful articles; but the fact was, that we did not make those articles only for ourselves; we wanted our neighbours to take some of them: and if, at one time, we supplied our neighbours very profusely, they would certainly require time to wear out those articles before they would buy any more. This was what he (Mr. Knight) understood by over-production. This he believed had taken place a few years ago to a considerable extent; and this he still believed to be one cause of the present distress. Again, as to machinery, he hoped he should hear no more of the plough and the harrow because some Gentlemen on his side of the House were of opinion that a portion of the distress might be accounted for by the improvements in machinery; but he knew full well from what he had seen at Nottingham, that improvements in machinery will account for a portion of the present distress. Nottingham he regretted to say, was still in a very depressed state; but, in the midst of this depression, there were factories in full work, and men employed at good wages. How was this? Because the masters of these factories had made most ingenious improvements in the machinery which manufactures lace, and were able to produce a very superior article at a very low price. But the advantages which these factories possessed, throw difficulties in the way of those who possessed them not, and every step in the improvement of machinery had the effect of displacing more and more adult labour. It, therefore, happened that, where such improvements were made, for the few who continued to be employed there were hundreds who were thrown out of work. Did he say that he would check these improvements? No such thing. But he did say that the quantity of adult labour which those improvements displaced was an ingredient in the present distress—that there was more labour displaced than could be absorbed elsewhere, and that he feared this displaced labour would always be a subject of regret to this country unless relief could be provided by a systematic plan of colonization. The noble Lord had asserted that the distress was beginning to extend to the agricultural districts, and wished us, for the sake of the agriculturel population, to go into committee. The agriculturists were much obliged to him for his solicitude, but they certainly did not desire that House to go into committee on their account. The noble Lord had even insinuated that a further alteration in the Corn-laws would be advantageous to the cultivators of the soil—but they themselves happened to be of a different opinion—and, since the declaration of the right hon. Baronet at the head of her Majesty's Government that he does not intend to make any further alteration in the Corn-laws, spirits, and prices were beginning to rise. He thanked the right hon. Baronet for that declaration, and he assured him it would secure to him the cordial support of a large and important portion of the community—and so far from agreeing with the hon. Member for Knaresborough in the opinion that the right hon. Baronet had disappointed the hopes of those who had placed him in power, he would not pass such a libel on this side of the House, he would not impute such selfishness to the agricultural body, as to let it be supposed that, in assisting the right hon. Baronet to power, they wished him to do anything but govern well, and consult the real interests of the whole community—not, indeed, by class legislation—by such legislation as would favour one interest at the expense of another—but by calmly inquiring into the wants and claims of all, and adjusting the balance between the different interests in the fairest possible manner. In this sense it was that the landed interest had accepted the measures of last year. They were aware that it was desirable to obtain fresh outlets for our trade; they were equally aware that some protection was necessary for British agriculturists; not from any miserable consideration of their own private advantage, but because they knew that the abolition of the Corn-laws would throw the whole country into confusion, would ruin at least the present generation of tenants, and displace a large amount of agricultural labour; and they could not be of opinion that any advantage would be gained by merely shifting the scene of distress. It was with these views that they accepted the tariff and the new Corn-law, and so long as the right hon. Baronet continued to them the present protection so long would they do their utmost to keep him in power and keep out those who, it was clear would not afford them any protection at all. The noble Lord had said, "why do you legislate for the staff of life upon a different principle from that which you apply to other articles?" The answer was because it is the staff of life, and, therefore, too essential, too vital, an article to be exposed to any risk. A great nation must not be entirely dependant upon other countries for daily bread. And when the noble Lord and his friends congratulated themselves on the expression of "temporary," and anything which had reference to time and circumstance, that fell from the lips of his right hon. Friend the Vice President of the Board of Trade, endeavouring, as it was evident, to excite alarm and mistrust in the minds of agriculturists, and increase the difficulties with which the right hon. Baronet had to contend—he could assure them that that expression filled him (Mr. Gally Knight) with no alarm—every thing must be called temporary, which is not in its nature perpetual. What minister, what man, would be mad enough to say, that any law in the statute book shall be perpetual? Human life was called a temporary trial, yet it sometimes lasted seventy or eighty years. The present Government could only be called the temporary Government of this country, yet he trusted that it would last for a considerable space of time, and teach Gentlemen opposite that things which must be called temporary may be of a very enduring kind. It appeared to him that the noble Lord should have included in his enumeration of the causes of the present distress, other causes besides those which he had mentioned—he should have included agitation. The disturbances of last autumn, by whomsoever caused, and for whatever object, had checked the return to prosperity. The drains from the savings'-banks, if they proved no more, proved this, that the operatives had thrown away upon objects from which they derived no benefit, a great deal of money which might have contributed to mitigate their privations. No sooner were those disturbances at an end than the agitation was renewed by the Anti Corn-law League—an association which he must ever consider to be illegal and unconstitutional—a mode of proceeding which the noble Lord, who was the head of the late Government, with his usual frankness and patriotic spirit, has declared to be a most improper mode of advancing any question. He (Mr.

Knight) would not mind the tea-drinkings to which allusion had been made, or the large cards with broad borders, embellished with the countenance of a noble Earl on one side, and with the countenance of the hon. Member for Wolverhampton on the other. But constant appeals to the passions, constant misleadings of the people, allusions to personal responsibility, allusions which alas! had not been mcde without effect, such things invested the League with a most serious character, and could not be continued without producing the most injurious consequenecs. The presence of the hon. Member for Salford reminded him (Mr. Knight) of a speech which had been made by that hon. Member at a meeting of the League which took place at Manchester in December last. The hon, Member of course recommended the total abolition of the Corn-laws, and added, that he wished it to be immediate for the sake of the agriculturists themselves. The hon. Member illustrated his apparently paradoxical opiuions by, not a very sublime, but a rural image. He said "If you were going to cut off a sheep's tail, would it not be much more merciful to cut it off at once, than to give the animal pain at different times." But there was another alternative which did not appear to have entered into the head of the hon. Member. If the sheep had been consulted, and could have explained what he would have preferred, he would probably have said, "Pray let my tail alone." The meetings and operations of the League were calculated to prolong the distress by filling the public mind with uncertainty, delusion, and alarm. A committee of that Honse would have a very similar effect. If hon. Gentlemen opposite would only abstain from discussions like the present, and allow the measures of the right hon. Baronet a fair trial he (Mr. Knight) was persuaded that we should soon see the first button appearing above the waters, the promise of the gradual subsiding of that tide, which, at one time, menaced destruction.

Mr. *Ward* was of opinion that the hon. Member who had just sat down had entirely confounded cause with effect. The hon. Member had spoken of the Anti-Corn-law League as one of the causes of the depression of the industry of the country. It was nothing of the kind. The League, instead of being the cause of the distress, was the consequence of it.. Its power consisted in the extent of that distress; the secret of its authority lay in the belief of the people that they had no justice to hope for at the hands of that House. And when the hon. Member for North Durham asked him—representing as he did one of the towns which had suffered most severely—most cruelly under the consequences of the system which prevailed — why he voted for the motion of the noble Lord, and what advantage there would be in the House going into a committee of inquiry, and why they should spend their time in fruitless discussion; he begged in turn to inquire for what purpose was that House there assembled? He held that it was their duty to endeavour to discover and to remove the causes of the prevailing distress; no one had denied that distress except the hon. Member himself, and the case which he had made out was that of an isolated prosperity of a small district in the county which he represented, and which was but a dot in the great mass of general distress. England suffered, but Hartlepool throve. The distress was admitted in the Speech from the Throne, and he applauded the framers of that document for the terms in which it was drawn, and for the expression of sympathy which it contained for the miseries of the people. But was it becoming in that House to content itself with such a mere expression of barren commiseration. Were they not bound to follow it up? He maintained that to do so would be to discharge that only which was the legitimate duty of the House, and that they were bound, in performance of that duty to go into the whole question of suffering, which, on all sides, was admitted. Many causes for that suffering had been suggested. The Poor-laws had been mentioned, and the expensive machinery necessary for carrying that law into operation; but he begged to remind the hon. Member for North Durham, who had thrown out the suggestion that, in the North, at all events, this machinery might be dispensed with, that in the report which was made preparatory to the new Poor-law being adopted, Northumberland was mentioned in not very honourable terms, and was specially alluded to as a locality, in which change was particularly required. The hon. Member had spoken also of the building trades, and he had said that in Sunderland this afforded no criterion of the real state of the town. Undoubtedly that might be the case, for it was unquestionable that the building mania had in many stances been carried too far. But to come to another point. The hon. Member who spoke last (Mr. Galley Knight) had touched upon the dangers arising from the improvement of machinery, but the hon. Gentleman, before he sat down, had answered his own argument, because he had said that the only trades with which he was now acquainted in Nottingham, that were at all in a prosperous state, were those in which the most recent improvements in machinery had been effected, and which were consequently enabled still to make a profit by employing their hands. No one would deny that the immediate consequences of any new improvement in machinery would be to create a pressure upon that particular branch of the labouring classes immediately connected with the class of articles produced by such machinery; but to talk of limiting, or restricting, the productive powers of the country would be to commit an act of *felo de se.* Where would such a limitation stop—where must it commence? Would the hon. Member himself give up his agricultural machinery, his threshing machine, his improved ploughs? Was the principle to be applied to the manufacturing and not to the agricultural classes? He thought that it was evident that whatever advantages other countries might possess—although we might have to compete with lower wages, with better climates and superior soil—yet that the last thing which should be attempted was any measure which should have the effect of putting a stop to our productive powers. But the hon. Member had said that he was perfectly satisfied with the declarations of the right hon. Gentleman the Vice-President of the Board of Trade, and that so long as the right hon. Baronet at the head of her Majesty's Government, adhered to his present course, he should be assured of his support. The hon. Member, naturally enough, wished to drive a bargain with his leaders. He repudiated the idea that the measures of the Government had only a temporary character, but for the sake of greater security, he said, that if the right hon. Baronet at the commencement of every Session would only make a statement similar to that which the right hon. Baronet had now made, and would assure him that he intended to continue the policy which he had recently adopted, he should always receive the hon. Member's support. That was the condition on which the hon. Member would give his support to the Government. The hon. Gentleman spoke with authority, in the name of the large agricultural body with which he was now connected, and which he said was also quite satisfied with the Government. He thought, however, that it would be wise in the right hon. Baronet to reflect whether he could comply with the conditions proposed, for they were altogether inconsistent with the principles announced by the right hon. Gentleman, who spoke last night, (Mr. Gladstone), and he could only express his sincere hope, not treating this as a party question, and not caring which party was in power, so long as the distresses of the people were relieved, that the right hon. Baronet on this question would not give the country only the benefit of his principles, and his own immediate supporters the advantage of his practice. He maintained that the country was entitled to the fair application of the principles advanced by the right hon. Baronet; and showing, as he should, a mass of suffering which was absolutely appalling, he only expressed a natural anticipation when he declared his conviction that the Government could not take upon itself the responsibility arising from the continuance of such a state of things, by refusing to carry out its own principles, or consequently give its adhesion to a stationary policy such as that which would secure for them the votes of the hon. Member for the City of Nottingham and his friends. He would beg now to call the attention of the Government to the facts upon which he rested this belief, as regarded the town of Sheffield. He did not want to exaggerate, or over-state, the case—for exaggeration never helped a bad cause, and always hurt a good one. The facts which he should state, if the right hon. Baronet and the right hon. Gentleman were sincere in their principles, would force them to re-consider the possibility of their taking a stand on the poor pittance of commercial reform hitherto given to the country. When he had first known Sheffield, in the year 1836, there was not he believed, a single able-bodied man of good character out of employment; there were 300 houses building, and comfort and respectability were generally diffused; the payments to the casual poor, which must arise in all towns of a population of 100,000, amounted to 13*l.* 15*s.* weekly, and no more, and there was not then in England, he believed, a working population possessed of the same means of comfort. From 1836, he would pass over three or four years during which the prosperity in Sheffield first sustained a check. Undoubtedly the financial embarrassments of America, to which allusion had been made, had had a good deal to do with the distress which arose in the course of that time. But he would come to the year 1839. That was a very bad year, and 1840 was worse; and just at the very moment when the price of bread was increased to nearly double what it had been three years before, the demand for labour was reduced, and the rate of wages became, consequently proportionately low. In January 1842, wheat was 65*s*. 2*d*. per quarter; a sum of 1,400*l*. was raised by voluntary subscription for the relief of the people; the weekly payments due to the casual poor, in the month of February, amounted to 178*l*.; in March, to 194*l*.; in April, to 278*l*. In the month of May there were in the Sheffield poor-house 580 inmates; and the payments to the casual poor amounted to 333*l*. At this very time large payments were made by all the trades' unions which were possessed of funds, with a view to the parishes being relieved of the immense burthens that must otherwise have fallen on them, and from this source alone 20,000*l*. were paid in the course of three years. In July wheat was at 67*s*.8*d*.; the weekly payments to the casual poor reached 441*l*.; in August wheat was at 65*s*. per quarter; the weekly payments amounted to 492*l*., and there were supposed to be at this time 3,000 adult men and 1,500 women unemployed. In September and October the following report was made by a charitable society, which could not be suspected of any political taint, for the report was signed by a gentleman whose authority hon. Members opposite would not dispute, for he was as good a Conservative as any of them.

"SEPT. 6th.—Average price of wheat, 52*s*. 4*d*. —7th. Sheffield poor: In the house, 585; casual poor, week's payments, 503*l*. Ecclesall poor: In house, 374; out-payments, 132*l*.

"OCT. 5th.—Sheffield Poorhouse: Inmates, 536; casual poor, 467*l*. Ecclesall union: In the house, 452—against 258 last year; out-poor, 121*l*.

Report of bettering society: Since the year 1837, there has been manifestly a most disasterous turn in trade, and manufactures here, not the consequence of a sudden shock from violent, and temporary derangement, traceable to obvious causes, severe, and heavy for a while, as on former occasions, for which, if slowly, yet surely, amendment followed, but a progressive decay, like the fatal, and insidious symptoms of consumption in the human frame, tending towards inevitable destruction. The oldest inhabitant of Sheffield cannot remember a crisis of calamity so general, and apparently so hopeless, as that which has come upon us. The labouring classes have been going down into abject destitution."

This Report was signed by Mr. Montgomery, whose name and reputation were known to the House. In November a sum of 250*l*. was granted by the London Manufacturers' Relief Committee, and some little relief was afforded by the fall in price of wheat, which now reached an average price of 46*s*.; but there were on the 19th of that month in the Sheffield poor-house 615 inmates, besides 1,083 Casual poor; the payments to the Casual poor amounted to 420*l*., and the trades' unions stated that the funds altogether applied to the relief of the unemployed poor amounted to 29,356*l*. during the last four years and a-half. In December wheat was 47*s*.; the weekly payments to the casual poor were 412*l*. in amount; a sum being thus paid, in one week, only 212*l*. short of the whole amount paid in one year in 1836. Now, had things improved in the last year? At a meeting of the Sheffield Banking Company, on the 27th January, a report was read, which stated,

"The period comprised in the report which the directors have now to lay before you has been one, as you all know, of continued commercial embarrassment and depression."

The Sheffield and Rotherham Banking Company had also made, in Jan. 1843, a report containing the following passage:—

"In presenting the Seventh annual report of the affairs of the bank, the directors have again to deplore the continuance of commercial depression and embarrassment in every branch of trade."

And this was signed by six directors, all of whom were good Conservatives. So much for the banking interests in and about Sheffield. With regard to house property, there never had been any building mania in that town. In 1837, there were only 300 houses building. At the present moment, there were 3,400 houses untenanted. And a gentleman, in whom he had the greatest confidence, and who was possessed of many houses, had written to him in the following terms :—

> "I have not at this moment a single tenant who is not in arrears with his rent—some two, others three half years, and I believe this to be the general condition of the town."

Another leading merchant wrote,

> "I am sorry to say that the affairs of this town are worse and worse, and no appearance of improvement. The distress is intense, and increasing. The sums raised for the relief of the poor are, 1840, 26,000*l.*; 1841 35,000*l.*; 1842 52,000*l.*; and if we measure what this year will be, by what the months of November, December, and January last have been, 1843 will give 64,000*l.*; I fear it will give more, not less. It is positively fearful."

He had received also a return of the present state of the Sheffield and Ecclesall unions, down to the 4th February last, showing the payments to the casual poor, and the numbers of able-bodied paupers. The return of the Sheffield union was as follows:

SHEFFIELD UNION, CONTAINING TOWNSHIPS OF SHEFFIELD, ATTERCLIFFE, AND BRIGHTSIDE, AND THE PARISH OF HANDSWORTH :—

1843.	Jan. 7.	Jan. 14.	Jan. 21.	Jan. 28	Feb. 4.
Payments to casual poor	£ 505	£ 509	£ 492	£ 498	£ 486
Number of able-bodied	1,274	1,295	1,297	1,362	1,331

It was stated, also, that a considerable number of able-bodied artizans were working as labourers on the Sheffield and Manchester railway, and thus the casual payments were kept down by 70*l.* or 80*l.* per week. The other return which he would lay before the House was this—

ECCLESALL UNION, CONTAINING TOWNSHIPS OF ECCLESALL, UPPER AND NETHER HALLAM, NORTON, HEAUCHIEF, AND DORE.

	Out Payments.		In Paupers.	
	1843.	Same wk. of 1842, last qr.	1843.	Same wk. of 1842.
Jan. 7.	£134	80	420	259
14.	136	88	420	261
21.	143	83	435	356
28.	166	93	434	263
Feb. 4.	141	93	444	276

But besides these returns, he had received letters from working men in the town, who stated the sufferings which they had now to undergo, which showed the hopeless state to which all classes were reduced, and exhibited a state of misery and depression of the most heartrending character. One of these letters said, that there was nothing but

> "Increasing misery, increasing pauperism, increasing crime, with decreasing employment, decreasing capital, decreasing hope, and, above all, decreasing religion and morality; and the industrious classes see not merely their domestic comforts and respectability annihilated, but their power to purchase the commonest articles of food or clothing destroyed.

Upwards of 1,000 families were still supported by their trades in lieu of receiving parochial relief, and from this source they obtained 8*s.* per week, which, however, was to pay their rent, their rates, (for in Sheffield every man not actually receiving parish relief was rated), and to procure the necessaries of life; "and yet," it was said by his informant,

> "This they prefer to parish relief, and to the wretchedness of wandering over the roads and streets with a broom or rake, with empty bellies, in storms and cold, and what is even worse to the sensitive and once independent mind of a skilled mechanic who has lived in comfort and respectability for 26 or 30 years, the degradation which they actually feel when forced to stoop to parish relief."

These were feelings, in which he thought that every Member of that House, on whichever side he sat, must deeply sympathise. They might disagree, but nobody could help feeling the deepest commiseration for a whole population, thus reduced to misery without any fault of its own? He believed, that it was the anxious wish of her Majesty's Government that some remedy should be devised; but was it consistent with this desire, that a motion like the present, directed to the very object, which all must have in view, should be met, and got rid of, upon a miserable ground of technicality, that the committee was not the best means of attaining the desired end? The distress was now reaching all parties, and those, who not long since had deemed themselves secure from all apprehension on this score, now found themselves deeply, and seriously, affected. Even the agriculturists found that they were not proof against its attacks. How did the case stand? Some of the trades and manufactures of Sheffield were of a nature to attract many of the respectable orders of society; and the sons, or relatives, of agriculturists from the adjoining counties of Derby and Nottingham had found their way to that town, and found profitable and respectable employment in its manufactures. It had been said that the trade was dependent upon the opulent and the home market only; and it was naturally supposed that while the prices of home-grown provisions were high, employment would be plentiful; but they now found that this was a complete mistake. Of the silver-platers and saw-makers, who had been formerly in employment, not one-fifth could now find work, and many of these only for a few days a week. The reaction then made itself felt upon the land. An informant wrote to him,

> "These two trades are generally supplied by the sons of respectable families from country districts, well educated, and who give premiums with them. Of fifteen young men, who have just served their time, three are partially employed, four are upon the parish, and eight have returned to their parents or friends. Of fifty-one who have come of age in the last two years, only seven are partially employed—the rest are living either upon the parish or their friends. There are ten other trades still supporting their own poor, 1,000 families, averaging four in each, subsisting upon 1*s*. 3*d*. per week per head."

Thus it was that the agriculturists, who had sought to engage in this species of trade, had been disappointed, and were driven back by wants which they had themselves excited to seek relief and support from their relations, or from their own parishes. With these facts before them, hon. Gentlemen would agree with him that the motion was for an inquiry into the gravest subjects which could be brought before the House. They had told the people of England—Mr. Pitt had told the people, that Parliament was omnipotent—that there was nothing that it could not do, and that when difficulties arose it was the duty of Parliament to remove them. Did modern Toryism abjure these principles? Unhappily they had the power to do mischief, if not to do good. They had the power, as the people felt, of standing between them and the wages of their labour; they had the power to cripple the hopes, and the industry, of the country; they built a wall between the people and the food which they might obtain by the sweat of their brow, and they now refused to inquire into the consequences of their own acts. How could they wonder that the working classes should believe that Parliament was negligent of their interests, and that they could never have fair play until they were fairly and fully represented? When they saw that every advantage was taken of the differences of party feeling, and of political prejudices, to refuse them redress, they would still more firmly entertain this belief. The right hon. Gentleman opposite says that this is not the proper mode of gaining the object in view; and if the right hon. Gentleman meant that it would have been better for the noble Lord to have come forward with a definite proposition, he must say that he agreed with the right hon. Gentleman. He regretted that the noble Lord had not done so; for this was not a question, which ought to be allowed to go off upon vague professions of liberal views, or equally vague statements as to the intentions of her Majesty's Government. But this was a fault of which the Vice-president of the Board of Trade ought to be the last man in the House to complain. They had had plenty of ingenious arguments from the right hon. Gentleman; but if he made use of any expressions denoting a liberal view, he invariably looked round to assure his supporters that they must not be alarmed at them, for that practically they meant nothing; if he made a concession, it was always accompanied by some qualication to convince his friends that it would not be carried out. The right hon. Gentleman applied the term "temporary" last night to the Corn-laws.

Mr. *W. Gladstone* said, that he used the term generally, as applied to the Corn-laws and to all commercial laws.

Mr. *Ward* understood the right hon. Gentleman used the term merely as applied to the Corn-law of last year, and if he had mistaken him, he had done so in common with the hon. Gentleman who had just addressed the House, and who had thought it necessary to affix his own interpretation to the term. The language, however, of the right hon. Gentleman was altogether so diluted that even when he laid down a sound principle it was destroyed, or explained away, before he had done with it. No casuist in the world could have more ingeniously contrived to fritter away by explanation whatever appeared, at first, to be bold. Indeed, in every instance, the right hon. Gentleman, seemed alarmed at the admissions that he made. And when the right hon. Gentleman turned to those behind him, to explain what he had said, the right hon. Gentleman must have observed that the right hon. Baronet was still more alarmed than himself at the difficulties in which he had involved himself. The conduct of the right hon. Gentleman last night recalled to his recollection the observation of Lord Byron as to the meaning of the word "sublime." That noble poet said that he did not know what was meant by being sublime, and, on having a passage of his own pointed out to which the term was applied, and was asked for an explanation, replied that he did not himself understand the meaning of it. "I cannot say that I quite understand, my own meaning when I would be very fine." Such was the mode in which the right hon. Gentleman appeared to deal with the principles which he laid down; for, the moment he uttered a sound principle, he clogged it with so many reservations, and qualifications, that nobody could tell what it was really worth. The right hon. Gentleman had said elsewhere, if not there, that the first postulate to get rid of the present difficulties, and to remove the commercial distress, was the extension of the markets. As for the preference of a home over a foreign market, which some Gentlemen contended for, the right hon. Gentleman well knew that it was a perfect absurdity. He believed that the right hon. Gentleman fully appreciated the truth of this principle. and he dared to say, would not only admit, the truth of it at some future day, but that he would be prepared to act upon it. He had no doubt the right hon. Gentleman would say that the great object in commerce was to obtain, whenever they could be obtained, such articles as were required, by an exchange beneficial to both parties, that is to say, by such an exchange, as would re-produce on both sides something more than the cost of production; and that for this object you should go to those markets where these articles were produced at the cheapest rate. This was peculiarly applicable to an article of such general and necessary consumption as food. The right hon. Gentleman had said this most forcibly elsewhere, and he had no doubt that the time was not distant when he would make a similar avowal in that House. No doubt, however, many hon. Gentlemen opposite thought that the right hon. Gentleman had already mischief enough to answer for in what he expressed last last. The right hon. Gentleman last night observed that the reduction of the timber duties had been beneficial to the importer more than to the consumer, as the price of that article had not been materially lowered. The right hon. Gentleman, also, indirectly, referred to the commercial treaty with Russia. He did not deny that the treaty with Russia was a good treaty as far as it went. It was framed on the principle of carrying the produce of the two countries in the cheapest manner from the one to the other, but in the present state of things there was nothing to carry. At present the treaty was little better than so much waste paper. If the right hon. Gentleman had been prepared to propose the introduction of corn from Russia, they could then have seen the beneficial effects that were likely to follow from this treaty, and the advantages that would result from this change in the navigation laws, by allowing the ships of each state to be placed on a footing of reciprocity in the harbours of the other. But the treaty related merely to the machinery of the carrying trade, when there was in point of fact nothing to carry. He feared that, as regarded the United States, England had, by her absurd policy, built up a wall to exclude herself from any extensive commercial relations with that country. The right hon. Gentleman talked of the iniquity of the American tariff; but, under that tariff, the highest duties imposed were not above 30, or 40, per cent. He admitted that the American tariff was most absurd, and that it had been enacted on most mistaken principles; but still it was not more absurd or more objectionable than many of our own duties in this country. What was the case as regarded the corn of America? If the price of corn in many of the Western states of America were taken, and they were the great producing states for food, it would be found that the protective duty imposed by the Corn-law of last year was upwards of 90 per cent. of the value. He was the more disposed to dwell upon this absurdity, because Sheffield was destroyed by the loss of the American trade. The right hon. Gentleman must be aware that the articles produced at Sheffield were of a peculiar class, they were formerly most extensively exported to America. The trade of Sheffield existed in the same articles that were produced there ten years ago, but the manufacturers of that place had been cut up root and branch, in consequence of the interference of the Legislature with the trade with America. The right hon. Baronet must recollect the deputation that waited upon him last year from the Corn-law League, when one manufacturer connected with Sheffield stated that if the right hon. Baronet was prepared to propose a change of the Corn-laws at once, that he would, without the slightest delay, take 100 additional men on to work, for if the Corn-laws were got rid of or modified, he should be perfectly certain to find a market for every thing that he could produce. The very existence of Sheffield depended upon the course which the House should deem it expedient to take with regard to the Corn-laws; and when the hon. Member for Nottinghamshire said that he did not regard these laws as perpetual, but as of a nature which should not be changed within his own time, it must be clear that he and those who entertain the same opinions as himself, must be prepared not only to let the trade of Sheffield be destroyed, but the trade of many other places, which never could flourish until the Corn-laws were repealed. At present, much that was formerly an open trade was now closed to us, and the evil results from our bad policy were continually increasing. The chief impulse to every branch of trade was the maintenance of the labouring classes by a cheap price of food. He confessed that he should go into committee, if it were granted, with very definite views. He supposed that Gentlemen opposite would not let them have a committee, but the responsibility of that refusal would rest on them. It was not by vague expressions of sympathy that the grievances of the people could be got rid of, or that they could be satisfied, and still less by such accusations of violence and rioting as had been made by the hon. Member for Nottinghamshire. There was something odious in the charge which had been brought against those who had agitated for the repeal of the Corn-laws, of having been the occasion of the disturbances that occurred last year. It was more odious still to insinuate that the agitation of the question was connected with recent events which all must deeply deplore. Nothing could be more untrue; but nevertheless, when whole classes had been driven to despair in consequence of the distress to which they had been reduced, this individual might well account for the acts of violence that had been committed It had been twice attempted in the course of this debate to connect the agitation for the repeal of the Corn-laws with the circumstance to which he had adverted, but it was most short-sighted to attribute to political feeling an act of sheer insanity, which every political party must condemn. The agitation for the repeal of the Corn-laws arose simply from a feeling that prevailed as to the injustice of these laws, and they might depend upon it that so long as that sense of injustice existed in the minds of large bodies of persons, there would be agitation; but although this might go on they need not fear violence from those who merely expressed their honest conviction as to the course to be pursued. Hitherto the people had not heard anything that could reasonably be expected to satisfy them from the leaders of that House; and practical men would not be content until they saw some prospect of the evils under which they suffered, being redressed. The intelligent classes knew that the continuance of protection for agriculture as it was called, had crippled every branch of our manufactures, and had shut us out from the trade of many of the most important markets in the world. The existence of the Corn-laws had driven the English manufacturers from Germany, and had given rise to an extensive combination in that country to exclude our produce; and if these laws were allowed to continue, they would most certainly be productive of the same results elsewhere. As to the hostile feeling which was said to pervade the American tariff, he believed that if the English Government and Legislature manifested a disposition to get rid of the Corn-laws, and thus throw themselves into the scale of that party in the United States which was opposed to the tariff, he had little, or rather no doubt whatever as to a successful exertion being made to get rid of it. The House might depend upon it that if this country gave up her Corn-laws, the United States would give up their tariff. This system of legislation in both cases had resulted from parties having a want of knowledge of their own interests, and it had been productive of mischief and illiberality in both instances. We had seen what had occurred in Germany in our own times, and with our own eyes, and similar mischievous consequences as regarded the manufactures of this country were growing up in America, with a certainty of the same result. He entered his protest against this being treated as a party question. He did not care who were in office, for if any Government were prepared to act upon good and sound principles, he should give them his support. He had often differed from his friends near him when they were in office, and he should, under the same circumstances, do so again. But he protested against the notion of a change which was to be brought about only by the revolution of ages, or as the Vice-President of the Board of Trade had said, at some commercial millenium, the date of which no man could predict. He could not help feeling that such a suggestion was an insult to the working classes, whose condition so loudly claimed the attention of the House.

Mr. *D'Israeli* said, that the objection of he hon. Member for Sheffield against the isolated instance of prosperity, adduced in the case of Hartlepool, by his hon. Friend, the Member for Durham, was not very fair or very felicitous; for the hon. Member for Sheffield himself had argued throughout his whole speech from a particular instance, that of the town he represented. Moreover, it was the noble Lord who introduced the motion who had originated this style of argument, and his hon. Friend has only brought forward the instance of Hartlepool to explain and refute the case of Sunderland adduced by the noble Lord. The noble Lord had taken a "single captive," he had dwelt on the sufferings of Sunderland in minute detail, and as far as his general conclusions were founded on that particular instance, he (Mr. D'Israeli) must say, that he thought the reply of his hon. Friend was not only fair and justifiable, but most appropriate and effective. It would, indeed, be an entire answer to the motion of the noble Lord, if that motion did not in fact, involve a much more comprehensive question, one which was not to be decided by any isolated case. He would not, on the present occasion, attempt to investigate the origin of the distress, the prevalence of which was now universally recognised. But he would observe, that that origin must be sought in no single cause, but in a complication of causes; some vast, some comparatively minute, but all, with a simultaneous action, even though unconnected together, pressing on our industry in a manner perhaps unprecedented in the history of our commerce. He would address himself strictly to the question before the House, and he apprehended that to be the following:—"Is it possible or politic, by any sudden and extraordinary means to extend the commerce of this country as a remedy for the present distress?" That he inferred to be the real question from the somewhat desultory speech of the noble Lord; it was distinctly recognised as the real question by his right hon. Friend, the Vice-President of the Board of Trade. He must, in the first place, protest against the policy that would apply one remedy to every market which we possess, however varying and contrary in their character our markets might be. Our markets might fairly be divided under three general heads—our European markets; the markets of the East; and the markets of the New World. The respective principles on which commercial operations must be carried on in these markets were of a very distinct character. In Europe, we addressed ourselves to societies as ancient and as advanced as our own; scarcely less instructed and informed; where the sciences and the arts equally flourished; and where analogous manners had produced, in general, the same classified interests. In forming commercial connections with such states it was obvious that we could only proceed by Negotiation. Diplomacy stepped in to weigh and adjust contending interests, to obtain mutual advantages, and ascertain reciprocal equivalents. Our commerce with Europe could only be maintained and extended by treaties. The hon. Member for Dumfries, who was no admirer of treaties of commerce, had with some inconsistency enquired of the Government, why we had no commercial convention with Holland, which would have secured to us the trade with Java? He would tell that hon. Member, why we did not enjoy the Java trade. It was because at the Congress of Vienna our interests were entrusted to individuals who, like the hon. Gentleman the Member for Dumfries, had a great contempt for treaties of commerce. At that time everything was sacrificed for what was called political objects; and to create the kingdom of the Netherlands, to secure the union between Holland and Belgium, England relinquished Java to Holland without terms, and Holland secured a monopoly of her Indian trade to the manufacturing industry of Belgium. But where was the kingdom of the Netherlands now? Belgium was deprived of the colonial trade of Holland, and England, which had lost the political barrier which she created at so much cost, remains deprived of the commerce which she sacrificed for that object. The right hon. Gentleman, the head of her Majesty's Government, had recognised during the last Session, the great importance of treaties of commerce with European states, and it was understood that her Majesty's Government had not been so successful as might be wished in their subsequent efforts to obtain them. What he (Mr. D'Israeli) wished to show was, that that want of success was not to be attributed to the fiscal regulations of this country, or to any anti-commercial spirit in neighbouring states. The first treaty which they had endeavoured to negotiate, was a treaty of commerce with France. It was well-known that those negotiations had advanced very far; nay, he believed, he might take the liberty of saying that they had even been concluded; that scarcely a month ago from the time he was now speaking, the day, and even the hour, for the signature of that treaty had actually been fixed. That treaty, if ratified and acted on, would have removed the distress of the town of Sheffield, which the hon. Member who had just sat down, had complained of. It would be interesting to know what had prevented that treaty from being laid on the Table of the House. He knew there were some hon. Members who would say that a French treaty of commerce was very easy to talk about, but that the French chamber would not support a Minister in carrying such a treaty into effect. He believed he was speaking with authority when he said, that in the present French Chamber there existed a majority, and no inconsiderable one, that was friendly, as far as commercial feeling was concerned, to a treaty of commerce between France and England. It became the House then to consider what was the cause that when the French Minister was prepared to sign such a treaty, and when a majority of the French Chamber were commercially inclined to support him, that our negotiations in this respect with France never arrived at a successful result; for, until the cause was recognised and removed, the commercial relations between the two countries must remain in their present unsatisfactory state. But it was in the power of the House, whenever it chose, to come to a right understanding with the people of France, and if this were done, the Session would not end without such a treaty being concluded. There was a feeling among the French people much more general then we imagined, he might say a feeling profound and universal, that England had not deported herself with frankness and kindness towards France. He offered this not as his own opinion, for he felt persuaded, that as regarded the English as a nation, it was erroneous; but if so, it would well become that House to prove to the French people that it was founded in error. That nation remembered that ten years ago an English Ministry had announced to the world its connection with France as the firmest basis of its power and the proudest boast of its policy. That nation remembered that the same Ministry had, at a late period, adopted a policy in the teeth of these declarations by disturbing those feelings of intimate confidence which they had originally fostered. That nation recollected, that during the whole subsequent period, though the system of our foreign connections had undergone a complete and violent change, not a single discussion had taken place in that House which might have explained to the French people the cause of this sudden and contrary course of proceedings. If that House had only condescended to discuss the policy which they then blindly followed, they would probably not have encountered that prolonged spirit of misconception which was now exercising such a mischievous influence over two great nations, the foremost in civilization, bound together in reality by every political and social sympathy, and who possessed for the exchange of commerce facilities not equalled by any other countries in the world. He mentioned this, because the time had arrived to disembarass this question from the complications of diplomacy and the misrepresentations of the press. It was through the Parliaments of their respective countries that a frank explanation should take place between the English and French nations. And he felt persuaded that the moment this took place, all those pretexts for misconception and bad feeling —rights of search, Barcelona interferences —would at once varnish, and one of the first results of this right feeling would be the establishment of stipulated relations of commerce between the two countries. A treaty of commerce between England and France would do more for the town of Sheffield than both the Americas. There was not a town in her Majesty's dominions which would receive such an instantaneous impulse to its trade as the town of Sheffield by such a treaty. Would the Bank at Sheffield have failed if such a treaty had been signed with France in 1840? The almost unlimited demand which would be created by such a treaty for the hardware and cutlery of Sheffield, would soon find tenants for the 3,400 empty houses which the hon. Member (Mr. Ward) had described. By the treaty of 1840, and he believed he had the best authority to say by the treaty which was negotiated at the end of last year, a market had also been secured for our broad cloth, for our pottery, and for our linens and linen yarns. Circumstances, not of a commercial character, had alone prevented this treaty from being carried into effect; and he had therefore a right to believe that it would ultimately be concluded. He should now call the attention of the House to the negotiations which had been opened by her Majesty's Government for another treaty of commerce with a country which was strictly not European, but which he classed under the head of European markets, because it possessed a character entirely distinct from the other states of the hemisphere in which it was placed. The dynasty was European; the commercial relations were of European tradition. He meant the Brazils. Both sides of the House agreed in the vast importance of renewing our treaty of commerce with the Brazils, on the eve of its expiration. Since Parliament was prorogued, her Majesty's Government had sent a special mission to Rio for that purpose. A special mission was at all times a delicate measure, and in general it was safest to invest a special mission with some purpose really different from that which it was sent to fulfil. The right hon. Baronet at the head of the Government had told us the other night, that negotiations in respect of this mission were going on. Now he (Mr. D'Israeli) had reason to believe that these negotiations had never commenced, and therefore he supposed that the right hon. Gentleman had only availed himself of an expression of routine, the Brazilians, he believed, had assented, provious to the arrival of the special envoy, to an interpretation of the existing treaty, which conferred on it an additional duration of two years. They had done this unwillingly, but for the purpose of satisfactorily stopping the negotiations of the special envoy, by the declaration that having agreed, in deference to our views, to the continuation of the existing treaty, there was clearly no necessity to enter into the conditions of a future one. Knowing the great importance which was universally and justly attributed to the maintenance of our present commercial relations with the Brazils, and believing that at this moment their permanency was in extreme peril, he wished to show the House that these menacing circumstances had been occasioned, not by commercial jealousies, but by political inability and diplomatic neglect. In 1841, the Emperor of the Brazils attained his majority, and his coronation took place, and every state in Europe sent to Rio a special mission to congratulate his Majesty on the occasion except England. It appears, that for a considerable period there had been prolonged irritations between Downing-street and the Court of Rio, arising out of that unfortunate right of search; which, according to our neighbours, was only devised for our commercial purposes; but which, in reality, has in more than one instance, greatly contributed to the difficulties of our commercial diplomacy. We indicated our disposition by not sending a special envoy in 1841, and the omission was accepted as a most successful insult. But in 1842, a special mission from England reaches the Brazils; but for what purpose? Not to congratulate the Sovereign? Not to gratify the people, but to request a favour! Since the coronation of the Emperor, an opportunity has offered by which this ancient ire might have been healed. The marriage of the Emperor again summoned special missions from the European courts to Rio, and again none was missing except the representative of the Sovereign of England. It was well to recollect, that the Brazilians, with many excellent qualities, had still inherited from their ancestors that ostentation which was now perhaps their national characteristic. He (Mr. D'Israeli) had no doubt that if, on the occasion of the Emperor's marriage, some nobleman of high rank with a brilliant suite, had been sent from England to congratulate the Emperor and his subjects on the occasion, he would have found, as he was embarking for England on his return, a treaty of commerce with England in his pocket. For it was quite erroneous to suppose these alterations of our sugar-duties, was a necessary preliminary of a treaty of commerce with the Brazils. Coffee was the staple in which the Brazilians were most interested. The province of Rio, for example, the most important in the empire, and politically the most influential produced no sugar. The object of these details was to show the House that treaties of commerce did not entirely depend on the regulations of tariffs, that in their negotiation, the same passions and influences, the same management and dexterity entered as in the negotiation of other treaties, and generally in the business of life, and that our present position with respect to the Brazils, certainly not one of a very promising character, had been brought about by political and diplomatic misconduct. A contrary course of behaviour, they had a right to suppose, might yet produce a different result. The fear of wearying the House alone prevented him from entering into the causes which had prevented the treaty of commerce with Portugal from being satisfactorily concluded. He would only observe that it would not be difficult to shew that to the negligence and want of address of our own negotiators, the present embarrassed and complicated difficulties with that country, were to be attributed; and not to any fiscal or anti-commercial considerations. So it was with Spain. After all her restless interference, and meddling with every political movement of that country, England found herself as far off the promised treaty of commerce as five years ago; but it was this very interference which baulked our wishes. It had made us so odious with all classes of the Spanish people, an object of such general distrust and suspicion, that the very man whom we had in a great degree raised and uncompromisingly supported in his elevation, Espartero himself could not venture to propose commercial relations with a country, between which and Spain a trade of reciprocal advantage, and much more important at this moment to the Spaniards than to them might be carried on. Now here were four projected treaties of commerce, which he (Mr. D'Israeli) believed a skilful statesman might still obtain, for in reality they were not prevented by any fiscal considerations or any anti-commercial prejudices, but solely by political circumstances. They were proofs that they might ameliorate the condition of the people by extending commerce by treaty. Some hon. Gentleman objected to commercial conventions. Why, the commerce of the world had been created by conventions—they were commercial treaties which first secured the persons and the property of merchants. What destroyed the *droit d'aubaine* but a commercial treaty? He (Mr. D'Israeli) must say that he saw nothing in the state of the European markets to fill him with despair or even gloom. The noble Lord the Member for Tiverton, had told the House on a late occasion, that we must look for no extension of our commerce with Europe. He believed that no assertion could be more unauthorised, Why, the exchange between England and France at this moment was short of five millions. The negotiators of the late projected treaty were of opinion that that treaty would lead to an immediate exchange of 10,000,000*l.* or 12,000,000*l.* He firmly believed that British commerce with European nations would be greatly extended. In the advancement of the arts throughout Europe, he saw only a presage of the increase of our trade with it. Hon. Gentlemen were too apt to forget that an advance in the arts produces a corresponding increase in the wants and desires of nations. Hon. Gentlemen also were too apt to forget the amazing increase of population in Europe since the peace of Paris. 7,000,000 in France alone—in the centre of Europe 15,000,000. In this vast increase of a highly civilized population, he saw the continual elements of increasing commerce. So much for Europe! With respect to our Eastern markets, our intercourse with that division of the world must be carried on on a totally different principle to that which regulated our commerce with Europe. In the East, we addressed ourselves to a very ancient state of society; to vast and stationary populations, with tastes, and manners, and habits that never varied—with resources that never fluctuated, but in general inhabiting countries with which we were very imperfectly acquainted. Our trading intercourse with such communities must be conducted on the ancient principles of commerce. If we acted in Europe by negotiation, we could only penetrate the East by enterprise; any very immediate or vast impulse to our commerce from such markets was not to be expected. Our relations with such markets must be gradually formed, and fostered with great caution. They were the result of investigation, skilful observation, and prudent and exact dealings, But when we considered the immensity of the population, the richness of the natural products, and the settled character of the civilization which prevailed in Asia, they were undoubtedly markets which must be ultimately productive of almost interminable profit. There were three great Eastern markets—the Levantine, the Indian, and the Chinese. In all of these we had a right to look to an increase of our trade. If we maintained that peace in the Levant, which need never have been disturbed, if it were true that that illustrious statesman Redschid Pacha had been again summoned to head the councils of the Porte, and had an opportunity to secure that improved administration of the provinces, and that development of the resources of Asia Minor which he had long contemplated and once commenced, we might count in future a progressive increase of our trade with Turkey. As regards India, the fortunes of our commerce were in our own hands. If we gave to India what she most wanted, and without which she must wither, that is a monetary system capable of representing the operations of her property and her trade, if we thus terminated that frightful system of usury which doomed great portions of the land to barrenness, our trade with India would double. With regard to China, they were on the threshold of a vast career of commerce which baffled the imagination as to the amount and the character of its operations. But when they remembered the extent, the civilization of that empire, its population, and the contiguous kingdoms and islands, it was impossible not to feel that a new feature in the commercial system of this country was developing itself of unparallelled magnitude and unprecedented interest. There remained the markets of the New World: by them he meant the markets of the United States, the Spanish American republics, and the Australian provinces. Here you found elements of a totally different and contrary character to the East. Scant but rapidly developing populations, a social system in constant fluctuation, wants and resources continually changing, an illimitable extent of unappropriated land perpetually and sometimes violently affecting all political order, and monetary schemes. It was not by the devices of diplomacy that you could regulate your trade with these crude societies; the most cautious enterprise, founded on the most guarded observation, might be baffled by multitudes continually appearing and disappearing with necessities and tastes influenced and modified by their constant action. Commerce, then, with such countries, must be an affair of speculation—of rapid profits—shattering losses—unnatural expansion—paralysing collapse. This was the secret of the present state of our markets in the United States and Australia. It was not our Tariff, not our Corn-laws, that induced the present stagnation, or prolonged it. Its occurrence was the inevitable law of the social circumstances of the New World, and those circumstances in their equally inevitable operation could alone remove it. Well then, if their trade in their old European markets was sustained; if new and extensive markets were opening to them in the East; if the check in their commerce with the New World was to be accounted for by causes of a severe but still transitory nature, was it not the wisest policy, in this mysterious pause in the industry of the country, a visitation to which all communities of commercial enterprise are periodically subject, was it not the wisest policy to bear up against the depression with patient courage, to gain time, and in the interval throw the burthen as much as possible on property instead of labour. He knew there were some who took a darker and more desponding view of the prospects of our commerce. But he had not yet listened to any facts which could induce him to adopt their conclusions. It was true, as had been asserted, that there were no gradual symptoms of progressive or approaching improvement. But, so it always was with commercial distress. Its disappearance was always sudden. It was like a long and desperate calm; a breeze suddenly arises when all are disheartened, and in a moment the character of the sky is changed. Every practical man will assure you of this. Improvement in trade is never gradual and it may be accounted for. The House had heard much of over-trading—but there was such a thing as under-trading. When the commercial world were alarmed they under-traded; and after a certain time, a general and sudden demand arose. He believed the breeze would come. He thought it wisest to wait for it. He saw no other remedy. The noble Lord who introduced this motion said there must be a remedy "presently." Well, sign the treaty of commerce with France: that would give present relief. At any rate, present relief was not to be found in a committee of the whole House entering into an inquiry into the state of trade and commerce. Why, the inquiry would last as long as the trial of Warren Hastings! The proposition before the House was but a Jesuitical mode of satisfying their constituents. Who could not foresee the interminable adjournments of such an inquiry, and before a result was arrived that the commerce of the country must either revive or expire? It was, therefore, his intention most earnestly to vote against the motion of the noble Lord. He did not think that a remedy was to be found for commercial distress in noble Lords delivering lectures on political economy in the House of Commons. Neither Prime Ministers nor Parliaments would advance the public conviction of their utility and value by promulgating abstract principles in a practical assembly which had to deal with pressing circumstances. Gentlemen opposite were fond of assuring the House that the country was indebted to them for those more liberal principles of commercial intercourse which were generally received at the present day. But Gentlemen opposite were a little in error in this respect; those principles are of a much older date in this country than Gentlemen opposite may find it convenient to recollect. They were principles which had their Parliamentary origin at the period when we lost our American colonies. That, as everybody knew, was a period of gloom, darker even than the present; our commercial and trading interest had fallen to the lowest point of depression; and Mr. Pitt then announced the necessity of reconstructing our commercial system on principle of free intercourse and reciprocal advantage. The old prohibitions and monopolies that were the consequence of the colonial system were to be swept away. And who opposed him? The Whigs. Mr. Fox declared that he would stand or fall by the Methuen treaty, and the Whigs to a man, Burke, Sheridan, Francis and Grey, came forth as the champions of the restrictive system. He (Mr. D'Israeli) wished that the speech of Mr. Pitt in 1787 on the commercial treaty with France were printed and circulated. He wished such a document were in the hands of Members, especially accompanied by the speech of the first Marquess of Lansdowne on the same subject, that brilliant and profound development of the doctrines on which the measures of the present administration depended. It was the French revolution that, after a few brief years of trial, arrested the beneficial progress of the commercial system of Mr. Pitt. But after the peace were the Government of the day, the Government of Lord Liverpool backward in recurring to those measures of commercial improvement first promoted by Mr. Pitt? By no means. On the contrary, they were in advance of their time. As early as 1817, not two years after the close of the great struggle. Mr. F. Robinson, then filling the post now occupied by the right hon. Gentleman the Member for Newark, announced those doctrines in this House, and deplored their unpopularity. Those opinions were upheld on the same occasion by Mr. Charles Grant. They were officially and elaborately developed in the House of Lords in 1820, by the Earl of Liverpool, and announced as the basis of the future commercial system of this country. In pursuance of that official exposition, Mr. Wallace, a name too little mentioned, brought forward a variety of measures explained and vindicated in a variety of able speeches. Finally, on a late occasion, Mr. Huskisson set his seal to the system, upheld by all his Colleagues, among whom the right hon. Gentleman, the present head of her Majesty's Government was, though not then the most eminent, one of the heartiest adherents. And what prevented the full development of the commercial system of Lord Liverpool, a system founded on the principles of free trade? Why, the Reform Bill! That sovereign measure of hon. Gentlemen opposite. It was the Reform Bill that had arrested the progress of commercial improvement in this country, as well as the improvement of so many other things. And now hon. Gentlemen opposite, when the true character of the domestic convulsion of 1830 is pretty generally appreciated, wearied with the struggles for provincial power, and in their attempt to govern an empire like a parish, having deranged the finances and disturbed the commerce of the country, now they come forward forsooth, and entreat the right hon. Gentleman to pursue the wise policy he was prosecuting before the fatal introduction of the Reform Bill, and promising him all their encouraging support. On the grounds, then, which he had stated, he should oppose the motion of the noble Lord. He would give an ample trial of the measures of the Government introduced last year. He supported those measures not from any blind submission to the Minister who introduced them, but because he approved of the principle on which the commercial system of the right hon. Gentleman was founded. The principle of the tariff of the right hon. Gentleman was a fair protection to native industry—a principle, in his opinion, perfectly consistent with a large and liberal commercial intercourse. As regards the present Corn-law, we know as yet but little of that law. He was not prepared to stand or fall by the details of that measure—nor was he, for one, surprised that the right hon. Gentleman declined to do so. He (Mr. D'Israeli) would, with respect to that law, reserve to himself the most unbounded license. He would not rest his character or political constituency, on a fixed duty or a sliding-scale. But he would support that system which, to use the expressions of the noble Lord opposite, the Member for London, maintained the preponderance of the landed interest. He believed that preponderance to be essential to the welfare of the country; he attributed to that preponderance the stability of our institutions. He upheld that preponderance not for the advantage of a class, but for the benefit of the nation. He did not believe in the commercial decline of this country. On the contrary, he held that we had not yet arrived at the meridian splendour of our commercial fortunes. But he never would seek a remedy for one class in the ruin of another. He would venture, with respect to this controversy, to remind the House of the words of a great prince, appropriate to the occasion, for they were not only the words of a great prince, but also of a great merchant. He meant that Doge of Venice, who, looking out from the windows of his Adriatic palace on the commerce of the world, then anchored in the lagunes beneath, exclaimed, "This Venice, without *terra firma*, is but an eagle with one wing!" He (Mr. D'Israeli) said, the same of England. He wished to see our national prosperity upheld alike by a skilful agriculture and an extended commerce.

Mr. *Ross:* Sir, I have many good reasons for wishing to sit a silent listener to the end of this debate. But as I perceive no one from my side of the channel has yet risen, and as I know that the deep and painful interest excited through all parts of the country is no where more keenly felt than in that great, and till lately thriving and advancing community which I have the honour to represent, I consider it my duty to request the attention of the House. I know I have cast away one of my best chances of obtaining a favourable hearing by the few words extorted from me on Saturday. Perhaps, however, the House will be so generous as to let those few words go for nothing; and in return for the indulgence I bespeak at its hands, I promise not to tax its patience unreasonably. Sir, I consider the motion of the noble Lord proper and necessary. Objections have been raised against its form as quite too vague and indefinite. I apprehend the noble Lord would find it impossible so to shape his motion as to make it acceptable to Gentlemen opposite. If instead of a general demand for enquiry he had put forward a series of remedial propositions, then hon. Gentlemen would have warned the House against the dangers of embarking in such a wide sea of troubles. I wish I could agree with the hon. Member for Shrewsbury in thinking that this country is likely to attain to a greater height of commercial prosperity than it has yet reached; I am sure that if we persevere in our present system his predictions will not be verified. The same hon. Gentleman claims for himself and his friends the credit of free-trade principles, and charges us with obstructing the progress of their enlightened principles. Nay, he traces all this mischievous opposition to the Reform Bill. Now I grant the Reform Bill was the means of abolishing a certain sort of free-trade—I mean the free-trade in rotten boroughs. [Hear.] But why does not the hon. Gentleman specify the particular boroughs which, created by the Reform Bill, have been characterised by hostility to the doctrines in question; and why does he not point to the particular men on these benches open to his rebuke, and say, you,—and you,—and you,—on such and such occasions, spoke and voted against the extension of commercial freedom. I shall not dispute about the origination of sound opinions on the subject, but the fact is indisputable, that of late years we Liberals, in books, pamphlets, reviews, and newspapers, have stood forth as the champions of these doctrines, and you as their assailants. Surely hon. Gentlemen did not always think so meanly of those who sit on this side of the House. A report has reached my ears that an hon. Gentleman—I shall not name him—did on a certain occasion apply to an hon. Friend of mine sitting near me, for a recommendation to some radical borough. [*Laughter.*] At that time, of course, he thought liberal principles were the principles of free-trade. That this once flourishing country is in a state of decline alarmingly rapid; that the advances towards a more liberal and enlightened policy made in the last Session of Parliament by the right hon. Baronet at the head of her Majesty's Government have been insufficient to check the progress from bad to worse, or to mitigate in any appreciable degree the sufferings of the people, are truths admitted by parties who agree in nothing else, and not denied even by her Majesty's Ministers and their supporters; while all on this side of the House without exception, and a few on the opposite benches, attribute the disease which is consuming our strength, in no small degree to the various systems of Corn-laws which have succeeded each other. From these admissions, I infer either that a further change is necessary, or that our case is hopeless. The latter is a supposition I cannot admit. I therefore urge the necessity of a further advance. It is idle to talk of allowing time for the development of the good effects of the recent enactment. From what has passed, we may clearly see what will come to pass. The essential inefficacy of the new-modelled sliding-scale stands proved. It was to have opened the ports to supplies of grain—they remained during the season of severest want practically closed; it was designed to make foreign nations interested in lowering their duties on our goods—they found no solid ground on which to base an expectation of an advantageous trade in corn, and their tariffs became more decidedly hostile than ever. We hoped to see the dealer in corn placed in the same rank with other traders in point of security; the utmost that has been gained is that the gambler in grain gambles a little less desperately now than heretofore. Something then must be done and that speedily. It is to be hoped that the representatives of the Commons will not avert their eyes from the miserable spectacle of a struggling but sinking people, nor close their ears against their cry for relief—nor stop short of measures from which relief may reasonably be expected. Let us not ostrich-like stick our heads into a bush in hope that the calamity which is at our heels will pass by. Rather let us boldly confront the danger. Let all personal feelings and all pitiful party squabbles be flung to the winds. Let the House of Commons try whether it cannot furnish forth a sufficiency of wisdom and patriotism to search out the causes of national decay, and supply a prompt and efficacious remedy, and by this solid service wipe out the stain of its ignoble origin. These remarks may possibly seem to some hon. Gentleman a strange introduction to the avowal I am obliged to make—that while I trace much of our distresses to the operation of the Corn-laws, I cannot see my way to their total, immediate, and unconditional repeal. For I think there is another scheme of relief calculated to ensure all the advantages I have just glanced at; abundant and timely supplies; moderate and steady prices; encouragement to interchange products; safe and regular trade in corn; less hazardous than another sweeping proposal, and more practicable. I will boldly state my opinion, though I believe it will meet with opposition on both sides of the House. It seems to me best for all classes that a fixed duty, say of 8*s.* should be laid on, subject to a gradual diminution, at the rate of 1*s.* per annum, till it should be finally extinguished, or stop at a low rate for the purpose of registration. Such is the plan which I approve of, and I am able to state that it would perfectly satisfy the great body of my constituents. Sir, I exceedingly lament the decision of the right hon. Baronet. I did participate in the general expectation that last year's change would prove introductory to further changes. When last Session he announced his famous tariff, and broached sound doctrines of commercial policy, a flash of surprise and joy lightened up the nation. But nothing in the way of change would now create surprise. The people have become accustomed to political miracles—they have beheld a prodigy—fruits of liberality—not very abundant indeed, but few and good in kind—growing where no one ever dreamed of seeing them grow—on that old Tory stock, which nothing but the skill of the right hon. Baronet, could have saved from being rooted up, and cast aside as worthless. He tried a bold experiment, which, in his dexterous hands, succeeded. The graft hit: the stock was saved for a further trial:—

> " Exiit ad cœlum ramis felicibus arbos,
> Miraturque novas frondes et non sua poma."

I am aware there are Gentlemen on these benches whom nothing short of a total and unconditional repeal can satisfy; not because they deny the possibility of an advantageous adjustment, but because they hold the imposition of the smallest tax on bread—the staff of life—to be contrary to the immutable principles of morality. I honor those Gentlemen, particularly such of them as depend altogether on land; but I confess the notion seems to me to savour a little of extravagance. Upon such grounds it must be held immoral to lay any tax whatsoever on timber, glass, coal, cotton, flax, wood, leather — since clothing and shelter, light and warmth, are necessaries of life, as well as bread; and yet no one ever heard of the immorality—whatever might be said of the inexpediency of taxing any of these articles. But I will tell you what I hold to be immoral. By one and the same legislative provision to raise the price of the necessaries of life, and to diminish or take away the power of earning them. Laws which condemn large bodies of men to inactivity and ruin, or which interfere between the labourer and his reward—are pernicious—are immoral. Man's lot is for the most part toil—to toil he was originally condemned. But as it has been truly and beautifully said—

> ———" The primal curse
> Was softened into mercy, made the pledge
> Of cheerful days and nights without a groan."

Thus in the bosom of that sentence there was blessing. Are the days of our labourers cheerful? Are their cares forgotten in tranquil sleep? I fear the rising sun darts no cheerfulness into their miserable habitation. I fear you are chargeable with many of the sufferings they are doomed to endure. To such as do not consider the question of morality a flat bar to further inquiry, I would briefly suggest one or two arguments in favour of that scheme which commends itself to my judgment. It has been expected on one side, and vehemently denied on the other, that the landed interest is charged with a heavier burden of taxation than any other. Nor is the plea urged by monopolists only —it has the sanction of such men as Mr. M'Culloch and Lord Brougham—I venture no opinion—I only say, if the fact be so the balance should be adjusted by means of a fixed duty equivalent to the difference, or by a revision of taxation preliminary to repeal. In any case, prudence would suggest the propriety of some delay, in order to afford opportunity to the holder of land, to encounter the difficulties of a new position, by manufacturing his land to the greatest advantage, and compensating by increased production for that fall in prices which is the object aimed at. Grant this opportunity, and I make no doubt, of the ability of the agriculturist under the stimulus of necessity so to avail himself of the treasures of science, as to develop the resources of agriculture and maintain his position in the social scale. I do believe these islands are capable of supplying food for the actual population. In my opinion, the agriculturist fears, and the manufacturer hopes, too much. The first under the condition specified—between the tendency of late discoveries to diminish the cost of production—the increase of that production and the diminution of the price of commodities—will be able to sell at a far lower rate than has ever prevailed without loss. As to the manufacturer, the immediate effect of the full development of home agricultural resources will be to check in some measure, the foreign trade in corn; but he will always have moderate and steady prices. But if time be not allowed—and let it be borne in mind that all improvements in this department of industry are necessarily slow—a host of evil consequences which I must not now dwell upon, will assuredly follow. Happy would he be if this discussion could be freed from the heats and animosity which the eagerness of disputants is apt to engender. The lord of the soil is not, in general, the hard-hearted, grasping, unsympathising being his opponent represents him—nor is the manufacturer the sordid, selfish, tyrannical master of a squalid, dissolute, disaffective gang which some have been pleased to paint him. Wrong has been done on both sides, but the most grievous wrong to the manufacturer. I wish I could engage some of those gentlemen whose hearts are filled with the bitterest prejudice, as my companions in a visit to the mills with their surrounding cottages and schoolhouses in Belfast and its vicinity, and draw their attention to the provision made by the owners for the accommodation, health, and education, aye, and the comfort and amusement of the people in their employ. I could point to regulations for providing the luxury of a bath—I could lead my companion through slips of garden-ground into trim cottages, where he would find a few books, flowers, shrubs, perhaps a musical instrument; I could show him the beautiful picture of Burn's Cotter Saturday Night, transferred to the humble dwelling of a mill-labourers family. But this was the result of a prosperity which is rapidly passing away—all is hollow and insecure—trade languishing—markets failing. What can the proprietor do? the sentence must go forth, there is nothing else for it. Picture to yourself, Sir, the effect on such a family circle as I have attempted to describe of these terrible words, "half work," words synonimous with half comfort, half living, half every thing that makes life desirable. What consternation!—what dismal forebodings. How many images of terror and desolation crowd upon the mothers heart, while she casts a hurried glance round their little apartment in search of some piece of furniture which may best be spared—or runs over in her mind the fate of other families, predecessors in misfortune, whose sons have been scattered, whose daughters, once happy and innocent as her own child, have found their way through the paths of guilt and wretchedness to an early grave. Sir, I am thankful to the House for listening so patiently to my somewhat confused address. Perhaps it would be here more prudent in me to have waited till I had become accustomed to an atmosphere which few can breathe at first without feeling their heads a little turned.

Dr. *Bowring*: I move the adjournment of this debate.

Mr. *B. Hope* rose, and spoke amidst cries of "Adjourn," and "Go on," but little of what the hon. Member said was heard in the Gallery. A more unnecessary or futile motion he said than that made by the noble Lord had never been proposed to Parliament. He deprecated the interminable discussion of that everlasting question, the Corn-laws. That was the subject that appeared to exercise a predominating influence over the minds of certain hon. Members who had spoken during the course of that debate, and they had not grappled with the legitimate question before the House, viz., the distress of the country. He thought, that that distress was principally to be traced to over-population and over-luxury. The system pursued in our large manufacturing districts had tended to make human beings human machines. It was his intention to oppose the motion of the noble Lord.

Debate adjourned.

House adjourned a few minutes after twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 15, 1843.

Minutes.] Bills. *Public.*—1°. Forged Exchequer Bills.

Petitions Presented By Mr G. W. Wood from, Kendal for the Repeal of the Corn-laws.—By other hon. Members from, Bettws-y-Coed, Penmachuo, Trefriw and Llanrhychwyn, Amlwch, Llanbenlan, Deanery of Arvon, Caerhwn, Lleyr, Conway, Llandyfrydog and Llanfihangel-trer-beirdd, and, Llanerchynedd and Coedana, against the Union of the St. Asaph and Bangor Dioceses.—From Auchenbowie, for the Repeal of the Mines and Collieries Act.—Fromt he Presbytery of Dumbarton, for Ameliorating the Condition of Schoolmasters (Scotland).—From Wirrall Union for the Repeal of Registration of Births, &c. Act.—From Uttoxeter, for Extension of Church of England.—From Loughglyn, Killala, and, Achonry, for Alteration of the present system of Education (Ireland).—From Mountmellick Union, for Amendment of the Poor Relief (Ireland) Act.

The Circuits (Ireland).] Mr. *Grattan* said, seeing the noble Lord the Secretary for Ireland had taken his seat, he was very anxious to put a question to him on a subject of the utmost importance connected with the administration of justice in that country, A report had got abroad, and was pretty generally believed, that the time for commencing the circuits had been altered, after having been once fixed, some of them four days, and one even so much as a week. The reason given for such an extraordinary occurrence was a very strange one; it was said that a grand ball was to be given by a well-known establishment in Dublin, and that it was found that the time fixed for it and the time for commencing the circuits were so near as materially to threaten the enjoyments of the bar. It was said, in fact, that the time for holding the circuits had been changed in order to allow the lawyers to dance at the ball. He wished to ask the noble Lord whether the report were true.

Lord *Eliot* said that if notice had been given him that such a question would be asked, he would have prepared himself to return a more distinct answer; but he believed he might take it upon himself to state that there was no foundation at all for the statement referred to. Nothing like an official communication had ever been addressed, on the subject, to any of the gentlemen mentioned in the newspaper paragraph which he had seen.

Mr. *Grattan* said there had certainly been an alteration in the tine fixed for the Munster circuit.

Lord *Eliot* said, that whatever alteration might have taken place, there was no foundation for the statement that that alteration was made in reference to the ball alluded to.

COLONEL STODDART AND MR. CONOLLY.] Dr. *Bowring*, seeing the right hon. Baronet had just entered the House, hoped he would allow him (Dr. Bowring) to put the question of which he had given notice whether the Government had received any official account of the murder of Colonel Stoddart and Mr. Conolly at Bokhara?

Sir *R. Peel* said that the latest accounts the Government had received on the subject to which the hon. Gentleman had called the attention of the House, were contained in a dispatch from Colonel Sheil, dated Teheran, the 12th of November. In that despatch Colonel Sheil stated several grounds that made it almost impossible to draw any other conclusion than that Colonel Stoddart and Mr. Conolly had been murdered by the Ameer of Bokhara. There was to the despatch a postscript dated the 23rd, in which Colonel Sheil said, that he had seen an Affghan gentleman, commonly called Koomsedda, who had been formerly attached to Mr. Conolly, and who had arrived direct from Bokhara. The information brought by this person confirmed the report of the murder. All the interest that the representative of the Emperor of Russia possessed was exercised to save Colonel Stoddart and Mr. Conolly, but in vain. He feared there was every reason to believe that the report was but too well founded.

DISTRESS OF THE COUNTRY — ADJOURNED DEBATE.] The Order of the Day having been read for resuming the adjourned debate,

Dr. *Bowring* said, that before he referred to the general subject of the debate, he felt himself called upon shortly to refer to another personal attack directed against him by the hon. Member for Knaresborough, who had indulged in a series of personalities, attacks more remarkable for jactancy than good sense, and rather exhibited the wish than the power to wound. The hon. Member appeared to have elected himself to the office of a kind of general inquisitor or common accuser, and he (Dr. Bowring) should therefore have thought himself at liberty not to refer to the attack to which he had been himself exposed, were it not for his anxiety to set himself right with the House. The hon. Member for Knaresborough, who certainly wanted no industry in hunting out with the busiest assiduity whatever was likely to give piquancy to his diatribes, had paid him the compliment of alluding to a speech delivered by him (Dr. Bowring) many years ago on the subject of the handloom weavers. His object was then to show that it was in the mysterious destinies of man to have misery treading closely upon the march of civilization—and that some evil invariably marked the progress of good. It was in the stern necessity of our mortal lot that no great advance could be made in knowledge or in virtue but at the cost of suffering. Did not the establishment of Christianity overthrow hosts of heathen priests and temples and those who depended upon them? Did not the Reformation throw thousands and thousands who lived on the bounty of monks and convents upon the public charity? Did not the invention of printing embarrass and distress multitudes of scribes who lost their employment? Who could follow the consequences of the application of the steam engine, without tracing crowds of impoverished labourers in its immediate neighbourhood. Have not railways directly and for a time alarmingly interfered with other means of communication? Nay! justice itself—an active and a wholesome police attacks many interests, and will be regarded with distrust and alarm by those whom it disquiets. The speech probably dwelt no longer in the memory of the House; but in that speech he had stated that the handloom weavers were among the most unfortunate of his countrymen, because they had been peculiarly the victims of the conquests of the power-loom; that they had suffered much, and must suffer still more, in consequence of the mechanical improvements that had taken place. He had referred at the same time to the Dacca district in India, where thousands and tens of thousands had been subjected to great distress by the extension of the superior manufactures of Great Britain. He had not, however, by this intended to infer that it was possible to stop the career of improvement. Quite the contrary; in those improvements he rejoiced, though he had distinctly stated it as his opinion that it was the duty of Legislators to make mechanical improvements more and more subservient to the happiness of the community. The hon. Gentleman had quoted in strong condemnation some verses of his which savoured strongly of indignation against the Corn-laws. The hon. Gentleman did not object to the indignation, he only wanted it transferred from the bread-tax to the power-loom. But in the presence of misery, such as he had witnessed, there might be some indulgence for the vehement expression of these big and bursting thoughts which forced their way to utterance. He would refer to the borough with which it was his painful privilege to be connected, for evidence of the existence of distress in its most appalling shapes. It was of little effect to generalize. He must cite a few examples. He was in possession of the details of thirty-nine individual cases, which had been selected from the mass; and if any doubt were thrown upon them, he had irrefragable proofs of the truth of the statements made respecting them, and would willingly give the names both of the inquirers and the sufferers. He would refer to two or three, if the House would permit him, with a view of showing the pernicious effect of those laws which did good to none, and raised the price of food to all. One was that of a man who was an iron-moulder, and had worked twelve years for one firm; he had formerly earned 30*s.* a week, but had done no work since the 1st of March, 1842; he had a wife and four children. When he found that his former employers had no more work for him, he had tried everywhere to obtain it. He had taken the tramp, as it was called; after having been unsuccessful in Bolton and its neighbourhood, and travelled through Wales, Durham, Northumberland, Cumberland, and Westmorland, and been obliged to come here again without having got any, he had rested awhile, then taking the tramp again, and visited many of the manufacturing towns, traversing the midland counties, and coming to London with the same object, but without success. On one occasion, when lying down to rest by the road side, he was relieved by some field labourers, and when in London he had great difficulty in keeping out of the hands of the police. Another case was that of a man who was living in a cellar; he had been an engineer, but had remained out of work nine months, and had travelled 1,100 miles in search of employment, without success; he had been much out of doors, and suffered from exposure to the weather and other hardships until he became rheumatic and stiff in the joints, like an old man, although only twenty-five years of age, and his nails dropped off from his fingers and toes; he was not uninformed or uninstructed, for the person who visited him and inquired into his case, found him drawing a landscape, and there was some manuscript poetry on the table before him; at that time he was dependent for support on his sister, who worked in a cotton-mill. A third case of a worker in the foundry, a very powerful man, but greatly reduced in bulk, his clothes were become a great deal too large for him, he thought he had lost about forty pounds in weight, looked sullen and heavy, and, to use the words of my informant, when I entered his house, he was sitting upon his door threshold and would scarcely look up or notice me as I passed him; he had a wife and four children and had received 3*s.* 6*d.* per week from the parish for three weeks. His wife told me that they had nothing whatever to eat, and it was then nearly dinner time; that they had neither clothing nor furniture upon which they could raise anything to buy food. That she had that morning, for the first time, turned out to crave charity, and that upon calling at the nearest gentleman's house, the servants told her they would advise her to return home, for they scarcely dared to go near their mistress to ask an alms for any one, seeing that she was teazed so often every day; and upon this she had returned home weeping and in despair. They had once possessed a fair stock of furniture, and had pawned and sold their beds, chairs, tables, drawers and clock, and that they had also sold the tickets of the articles they had pawned. The children looked healthy lively children, and I inquired if they attended school. The mother replied that they had usually attended school on Sundays when they had had suitable clothing, but that latterly they had had only one suit of clothes that was fit to be seen, and they had sent one child to school in them in the morning, had stripped them off at midday, and sent another child to school in the same clothing in the afternoon. She showed me the little childrens' shirts; they were so ragged and torn, that it seemed hardly possible the little creatures could find their way into them. He would mention one more case—that of a man who had been visited a short time ago by a most excellent and benevolent friend of his, and who had been driven mad by his misery,—his madness was perhaps preferable to the sufferings that preceded it—that friend told him that he had found this person with his wife and children at dinner, and all they had was a jug of buttermilk and a loaf of bread which he was dividing amongst them. They had only a small allowance from the parish, and had to make out a livelihood in the best way they could, he had just pawned his checked shirt to buy the bread and butter-milk they were then partaking. The man observed in a manner which was something betwixt a sneer and a threat, "have they not done their worst at us now, can they bring us to anything worse than this?" He was a remarkably fine formed powerful, muscular, and hard-working man, about thirty-five years of age, almost of Herculean strength, represented as one who could "turn his hand to any kind of work," and it was very painful to hear his impatient expressions, his wife shewed me how ragged and worn out were all the children's clothing, she was washing some of them and it was as much as she could do to prevent them from being torn to pieces by handling in the waters. Is it to be wondered at that the intellect sinks under such a weight of suffering? He had heard of other cases in which persons had sunk under the weight of the miseries they had endured from want of employment, and become lunatics; these were isolated instances, but they were the parts which together made up the masses of misery—they were fragments of the great accumulations of suffering—they were samples of a huge bit of human affliction. He knew how much he needed the indulgence of the House when he troubled them with statistics and figures; but they were of a character so emphatic and irresistible, that he was sure that, if he did not obtain the attention of many hon. Members, whom other subjects seemed to interest much more, he should get that of her Majesty's Government, when he showed them that the state of Bolton and the manufacturing district of Lancashire was far worse now than when he called the attention of the House to it last year. He held in his hand returns made up with great care to the commencement of the present month, showing to what a frightful extent the wages paid in that town to different trades had diminished. In 1838 there were 150 carpenters and joiners employed, earning 25*s.* a week each. There were now only twenty-five in full work, earning that sum, and there were fifteen only half-employed, making a difference of 146*l.* per week less at the present time received by this trade than in 1838. In 1837 there were 140 stonemasons employed, at 34*s.* per week; at present there were only fifty, who earned no more than 10*s.* 6*d.*; this trade, therefore, received 153*l.* 15*s.* a week less than they did five years ago. The bed-quilt weavers earned in all 383*l.* a week in 1838; at present, only 182*l.*, being a difference of 200*l.* per week. The earnings of the counterpane weavers were 500*l* per week in 1839; they were now 210*l.*, being a difference of 290*l.* a week. In 1839, there were 2,800 handloom weavers employed earning on an average 6*s.* a week, and this too at the time of their prosperity; now there were only 2,300, who earned on an average not more than 3*s.* 7½*d.* The same facts pervaded all the trades of Bolton, showing 3,651*l.* 16*s.* 7*d.* less per week paid in wages, or a difference per annum of 189,871*l.* in the wages distributed among twelve trades alone. Was it any wonder that there should be an enormous and intolerable amount of suffering? Who could be surprised if there was a great quantity of discontent connected with this amount of suffering? If he could not appeal to the humanity or wisdom of the House, he would appeal to their own interests. He was bound to tell them that the state of the country was one of extreme peril. No person could answer for the continuance of peace when human nature was driven to the extreme point of endurance. They might rest assured that the feelings of the people would speedily assume a very formidable aspect, if some change for the better were not made. He did not speak this in the spirit of menace, but in the spirit of prophecy. The party opposite were informed of the remedy, but if they did not choose to accept that, why did they not attempt a remedy of their own? The danger was not removed, but was becoming greater. What was the present state of Bolton? There were no less than fifty-eight benefit societies in that borough which were either wholly broken up, or in a state of bankruptcy, reducing the payment to the sick members to one half. Twenty-seven benefit societies were only giving half-pay. Let any one pass through the deserted streets of Bolton, and see the miserable objects he would meet there—despairing mothers and starving children, abandoned dwellings, people living in cellars without furniture or clothing; no table, no seat, no fuel. Let him consider that this state of things was not confined to one town only; and then say whether it would be sufficient for the House to tell the sufferers that they could hold out to them no hope of an improvement in their condition. ["hear, hear."] It might be well for those hon. Gentlemen who revelled in every enjoyment to excess—who never knew what it was to have a desire ungratified—who had vast resources to supply them with every luxury from every quarter of the world—to turn a deaf ear to the prayers of the suffering millions; but he would entreat them, if not from regard to their own duty as legislators, or to the peremptory claims of humanity and the voice of Christianity, to lend a willing attention, and seriously to enter on an inquiry whether some means of alleviating the distress could not be found. The applications for relief made to the society for the protection of the poor in the town of Bolton showed how frightfully distress had of late increased. In 1840 the number of applicants for relief, most of them heads of families, was 770; in 1841, it was 2,564; in 1842, it was 3,940. The number of individuals belonging to the families of those who were relieved in 1840 was 2,656; in 1841, 9,523; in 1842, 15,296. The average earnings of those who applied for relief from this society were, in 1840, 1*s.* 2¾*d.* per week; in 1841, 10½*d.*; and in 1842, 10¼*d.*; but of those who received relief the average weekly earnings was in 1840, 10¼*d.*; in 1841, 9½*d.*; and in 1842, 9¾*d.* Was this a state of things which ought to exist in this country, which was the greatest, the richest, and professed to be the wisest and happiest in the world. Was it to be conceived that this should exist amongst the most meritorious, the most intelligent, the most provident, and the most industrious race on whom the sun shines. The agitation existing in the country was complained of; it had been attributed to the Anti-Corn-law League—["No! no!"] it has a deeper source and a wider range. The agitation was in the thoughtful, the Christian mind of the country; who could be otherwise than agitated amidst the heart-spectacles that surrounded them? The facts he had stated showed that the distress was increasing from day to day; it was likely to continue, and every day the application of a remedy would be more and more embarrassing and difficult. It was said, that the Anti-Corn-law League was the cause of the prevailing discontent. He admitted, indeed, that the Anti-Corn-law League had done something to move the minds of men on this great question. They had done what the Government had failed to do They had endeavoured to find out the cause of the distress, and to indicate the remedy. To what was their influence to be attributed? They had announced—they had circulated the incontrovertible fact, that the world's granaries ought to be accessible to famished multitudes of laborious Englishmen. They had shown that there were millions in this country who wanted bread, whilst they had the productions which other countries wanted, and would give bread in exchange for. They had shown, what was well known to all and undeniable, that there was a superfluity of food in the world; and was it to be said the Anti-Corn-law League was agitating the country and producing discontent, because they endeavoured to promote that interchange of productions which all nations desired, and which would give a portion of that superfluity to our own starving people? The Government admitted the extent and intensity of the distress. If the right hon. Baronet would carry out his own principles; if he would allow his mind to dwell upon the scenes around him; if he would look at the intolerable misery of those laborious beings from whom his ancestors had collected their wealth; if he would do this, he (Dr. Bowring) did not doubt that he would endeavour to devise means for removing the misery, which was a disgrace and opprobium to a Christian nation. An hon. Gentleman had stated that the distress was only local, and had mentioned, as a matter of consolation, that it pervaded only certain districts. It was perfectly true, said he, the distress existed at Sunderland; but then prosperity prevailed at Hartlepool. In this way it was attempted to deal out some consolation to the sufferings of the people. He believed that nothing would satisfy the country but a measure of relief which should extend to all classes. He was sorry to hear from the right hon. Gentleman opposite (Mr. Gladstone) some of those old fallacies which had been so pernicious to legislation. Certain words from time to time had been bandied about on commercial subjects, which had, he believed, been more pernicious in their result than thousands of misdeeds. One of the most prominent of these was the word "protection." He had heard that word again and again from the right hon. Gentleman, yet he was sure that the right hon. Gentleman knew that protection meant nothing more than putting your hand into a man's pocket and extracting from it more than the just value of that which you offered in exchange. Again, what was meant by "reciprocity," another of the instruments of sophistry and fallacy. Why should you refuse to take the productions of other nations unless they consented to take yours? It was saying that you would not be wise unless other nations were wise also; that you would persist in your folly, unless other nations consented to abandon their own foolish courses. The right hon. Baronet opposite confessed himself of opinion that this Government would not be justified in delaying much longer to change their policy—he acknowledged the principle was a wise and a true one, that they should legislate for themselves, taking care of their own interests, and leaving foreign nations to take care of theirs. He (Dr. Bowring) thought that their ancestors, who held out great encouragement to importation, and left exports to take care of themselves were far wiser than us who were perpetually seeking the means of sending goods out of the country, and little anxious to get into it the articles most wanted—namely, the food of the people. Our forefathers regarded everything that was imported as so much gain to the country. He believed that if they made that the great foundation of their commercial code, they would escape a great many of those mistakes into which they were constantly falling. It was expected by many hon. Gentlemen that before we gave an example of free-trade to other nations, those nations should set us the example. Why, in reply to that he had to observe, that the demand for free-trade was not so great among them as with us. They were suffering less than us the consequences of a protective and prohibitory system. It had not yet brought upon them all its mischievous results. Many of them, actuated by our example, had entered upon a very fallacious career of protection. Fancying that our wealth was derived from the theory of protection, they adopted a similar legislation. But they would be taught as we had been taught—and the severe lessons of adversity would bring them to their senses. They were already awakening to the dangers of their course. At present there was a delegation in Paris from the wine-producing districts of France, and he trusted that the efforts of that delegation would tend to facilitate the negotiations now pending between this country and France on the subject of a commercial treaty. He could not conceive how it was that sixty millions of the most enlightened people in the world—the inhabitants of France and England—with so many means of communication, and productions so suited to the wants of each other, were debarred of the benefit of intercourse on advantageous terms by the perversity of bad legislation. The Chamber of Commerce of Lyons had always been foremost in advocating sound principles of commerce, and they had recently forwarded to the French government a remonstrance, complaining that the French manufacturers, and the trade of Lyons, which formed more than 30 per cent. of the whole manufacturing export trade of France, should be sacrificed to some petty and worthless interests, which had gained the ear of the Chamber of Deputies. He could not doubt the ultimate result would be, as certainly as the sun rose—as certainly as wave followed wave—that those principles, bound up with the great interests of mankind, must ultimately prevail. He held in his hand a recent number of a paper, printed at Hong Kong, from which he would take the liberty of reading an extract, and he hoped no one would object to being taught wisdom, even from the other side of the globe:—

> "The larger our ability to take the products of China, the larger will be the capability of the Chinese to buy our manufactures. If it be an object to give employment to our starving population at home no better plan could be devised than to equalize the tea duties and admit the sugars of China as those of India, at the low duty. Were not China sugars in effect prohibited in England, we are assured they would be largely sent as returns for cotton manufactures. In several of the northern ports they could be cheaply and abundantly supplied as returns, but our merchants are debarred from taking them, and hence the Chinese there cannot become purchasers; and what would be an important outlet for our manufactures is effectually closed by our suicidal policy. We understand that the beautifully refined and highly saccharine sugars of Chinchew could be regularly deliverable in London at or under 4*d*. per lb. The article is, we are told, fully equal, for domestic purposes, to lump sugar which is retailed in England at 10*d*. to 1*s*. per lb. The duty on it, which, as before said, is in effect prohibitory, amounts to more than 1*s*. 3*d*. per lb. The raw sugars of China which would be importable into England at about 2*d*. per lb., would have to pay a duty of 6*d*. per lb. As it is quite certain that there will be an early revision of the sugar duties (from the avowed dissatisfaction of Brazil, and other foreign and domestic causes we have not time to specify), we would urge on our merchants to take early measures to secure justice to China as respects this very important article, which should become one of our staples, for we see no reason why the crude and refined sugars of China and neighbouring countries should not be brought to Hong Kong and thence reshipped to England and other countries."

He had been delighted with the termination of hostilities. The nation was now at peace; the right hon. Baronet had enjoyed the noble privilege of having brought the war to a conclusion. This was the time to consider the internal condition of the country, and it was impossible for Parliament to refuse to decide this important question. He saw evils increasing everywhere, yet still he nourished hope that a day-star was arising; and that day-star was free-trade. Let our markets be extended, our ports opened, and we should find many willing to deal with us. But if it was determined to pursue the selfish and sinister policy which had already created so much suffering, and would create more, then he could only look into futurity with a despairing spirit, and anticipate for this great country a downfal as rapid as its rise had been.

Mr. *S. Wortley* said, that he should have abstained from taking any share in the debate, feeling how completely every topic and statement that could bear on the question had been exhausted, but he should not have wished to have his silence construed into any doubt of the existence of the distress which had been so often described. He should be sorry, representing as he did a large portion of the population who were suffering from the existence of that distress, to allow any inference to be drawn that he did not concur in the statements that had been made. At the same time, he would not have it thought that he was in any degree afraid of meeting the question raised as to the cause of that distress. But if he had had no other reason for presenting himself to the House, he should have done so to remark on the speech of the hon. and learned Member who had just sat down. Till that speech was made, he must say, in justice to hon. Gentlemen opposite, the debate had maintained a tone at once creditable to the speakers, and worthy of the great and important subject they were now called on to discuss. But the hon. and learned Gentleman had thought fit to adopt a different tone; he had imitated the inflammatory language so common out of doors; he had pointed to Gentlemen on that side of the House as being actuated by selfish motives, and had told them they were revelling in luxury at the expense of people who were pining in distress. He took upon himself, in the name of the Gentlemen by whom he was surrounded, to reject and deny those imputations. The hon. and learned Member might talk of the diatribes of the hon. Member for Knaresborough, but he should be glad to know whether the hon. and learned Member had not been more inflammatory in his language. The hon. Gentleman had recited to them a most melancholy series of cases of distress and suffering; and he did not mean to dispute the extent and intensity of the national distress; but when the hon. Gentleman went so far as to tell them that he believed the Corn-laws were daily causing the deaths of hundreds of our fellow-creatures, he should say to the hon.

Gentleman in reply, that if that were the case, he knew not on what possible ground he could refrain from censuring the course taken by many hon. Gentlemen on his own side. There were many Members on the other side of the House who merely sought to effect a change in the constitution of the Corn-laws, and to dispense with the sliding-scale, but who had no thought whatever of abandoning a fixed duty upon foreign corn. If the restrictions upon the importation of food were daily causing the deaths of hundreds, he should be glad to know what possible justification there existed for any other course than that of a repeal of the Corn-laws, immediate and total. He would only ask the hon. Gentleman to turn to the hon. Member for Belfast, who had stated last night with a candour which did him credit, that although he believed the Corn-laws had a part in the distress of the country they were not the only cause of that distress, and that in his opinion the wiser course would be not to abolish them at once, but by a gradual process. But whatever might be the wisdom of such a course, he would take upon himself to say, that it would be wholly indefensible if the hon. Member for Bolton were right in asserting that the continuance of the Corn-laws was the cause of death and starvation. But the truth was, that that assertion was founded upon the assumption that the Corn-laws were the sole cause of the national distress. Now he was prepared altogether to dispute that position. He believed no such thing, nor did he believe that if the Corn-laws were repealed to-morrow, that repeal would have the effect in removing the distress of the country, which the hon. Gentleman seemed to imagine. Hon. Members opposite had told the House that the importation of corn should be free, and a small portion of them appeared to advocate the abolition of all protection to the British agriculturist. Now, there could be no doubt that if the importation of foreign corn took place in large quantities, the price of corn in this country would be reduced. Upon that point, there could be no difference of opinion, and the only question was whether, if prices were thus to be reduced, the change might not give rise to evils as great as those which it was intended to remedy. It appeared to him that, in arguing the subject, hon. Gentlemen opposite had confined exclusively their sympathies to that portion of our population which had no share in the cultivation of land. They seemed, when contemplating the masses at present in distress, to forget that about two-thirds of the population of this country were dependent for support, not upon manufactures, but upon agriculture. He believed, he was not over-stating the proportion when he alleged such to be the fact. The hon. Member for Sheffield seemed to think but indifferently of the home market; but a great authority, namely, a well-known circular from an association of some of the first firms in Liverpool, which he held in his hand, declared that "the value and extent of national exports afford but faint indications, and are no certain test of national prosperity, but that a healthy state of the home trade contributes in a far greater degree to invigorate commerce, imparting more confidence and stability to the manufacturing interest." In deciding questions of this kind, they were not to be guided by abstract rules, but by the actual circumstances of the country. Some hon. Gentlemen opposite had affected not to understand what had been said by his right hon. Friend, the First Lord of the Treasury, in answer to the question whether he would touch the existing Corn-law. His right hon. Friend had said, that he had passed that Corn-law in the belief that it was best calculated to the state of the question in this country, and that he should oppose any alteration until he should be convinced that the law was not applicable to the state of the commerce of the country, but at the same time he would not bind himself against any alteration of that law at all times, and under all circumstances. That was what his right hon. Friend had said in distinct terms, and no man who had heard could fail to understand the words. Admitting, as he he did, the distress which existed, why should he oppose the motion of the noble Lord the Member for Sunderland? He did so, because he did not see that the proposal of the noble Lord answered the proposed end. Committees of this kind were often moved for, but with little hope of the motion being carried, and he believed if the noble Lord were to obtain his motion, he would actually be embarrassed by his own success, and be at a loss how to carry out his own proposition. The hon. Member for Sheffield had attributed the distress that prevailed in the town he represented to the refusal of this country to take corn from America. But what were the facts? The total value of cutlery and hardware exported from this country, in 1835 and 1836—years of remarkable American prosperity—was 4,104,356*l.* The portion of that exported to the United States was no less than 2,296,903*l.* declared value. In 1839 and 1840, the total value exported was 3,177,658*l.*, and the proportion of that sent to the United States was 1,183,705*l.* So that in the first of these periods, the exports to the United States amounted to considerably more, and in the second to not much less than one-half of this whole branch of trade. Now, the hon. Member for Sheffield would have the House believe that the depression of this trade was owing to the Corn-laws. But facts proved that the deficiency arose from causes which were palpable and notorious on the other side of the Atlantic, as shown in the account of the state of the country given by its own chief magistrate. He believed that the losses of individuals, in consequence of the state of affairs in the United States might be estimated at hundreds of thousands of pounds, and it would be far more reasonable to attribute the depression to such causes than to indulge in mere speculative assertions that the Sheffield trade was depressed, because we did not take American corn. It had lately been the fashion to question the reality of over-trading. But looking to the returns of the prosperous years of 1835 and 1836, it was impossible to contend that the enormous fluctuations were not to be attributed to the undue stimulation of over-trading. The hon. Member for Stockport had not latterly chosen to attribute any of the distress to the conduct of the local banks, although no longer since than in the year 1840, he had given evidence before the committee on banks of issue, that joint-stock banks were the proximate causes of much of the evil; and having given that evidence, how could that hon. Member stand up in his place and ascribe all the evils that existed to the operation of the Corn-laws. This would show that the depression and distress under which the country was suffering had at former periods been attributed by the opponents of the Corn-laws themselves to causes very different from that to which those laws could possibly give rise. For his own part he believed that the distress was, in a great measure to be attributed to the very extraordinary falling off which had of late years taken place in the consumption of our manufactured articles in the United States of America, and to the interruption of our trade with China and Portugal. In discussing the cause of the national distress, or rather in discussing that which, although not ostensibly, was virtually the real question at issue in the debate—the Corn-laws—the House ought not to discuss it as a mere party question—ought not to discuss it in the light of what was called "class-legislation." It was a question that ought to be considered and discussed, not with reference to one class or another class, but with reference to the prosperity and happiness of the great mass of the people. When he said this, if he had the misfortune to differ from the hon. Member for Bolton, he yet took upon himself to demand that he should have credit for honest intentions. He did not admit the imputations which the hon. Member for Bolton cast upon him and those who thought with him. He acted in this case from an honest conviction, whether right or wrong, that if the Corn-laws were repealed to-morrow, distress would be created in other quarters not less severe than that which, all were now compelled to deplore. He could not but think that her Majesty's Government had taken the proper course. They had addressed themselves to those points upon which they thought the external trade of the country might be improved by the removal of restrictions, and by the extension of our commercial relations with other countries—they had effected what relaxations they thought could safely be adopted in the Corn-laws, and he remained firmly convinced, in spite of all he had heard from the hon. Gentleman opposite, that if her Majesty's Government continued to pursue that course they would do far more to remove the distress under which our fellow countrymen were labouring than that House could possibly do, if it were to adopt the motion of the noble Lord the Member for Sunderland.

Mr. *Wallace* conceived that the real question before the House was the deep unmitigated distress, not of one class only, but of all the trading and manufacturing classes of the community. He would not be led away from the consideration of that question by embarking in any discussion of the Corn-laws. Since the 1st of July last, when he brought forward a motion similar to that now under the consideration of the House, the distress of the country had considerably increased, and was still increasing. Nearly the whole mass of the community, in the great manufacturing and trading towns were unemployed; and although it was true that a momentary impulse had been given to trade and commerce, by the cessation of hostilities in China, the depression, within the last month, had returned with increased weight, and assumed a character of greater hopelessness. The distress was not limited to the manufacturing districts, but had spread to towns in which manufacturers were hardly known. In the town which he represented the deepest distress pervaded all classes. Yet in that town, with a population of 40,000 persons, a power-loom had not yet been introduced; except, indeed, a very few of inferior power, exclusively applied to the linen manufacture. In Edinburgh, also, the capital of Scotland, the residence of the nobility and gentry, and the seat of the municipal law courts, the distress was so great that the woods and forests had been recommended to advance money to employ the unemployed artizans in various kinds of labour, to which they were wholly unaccustomed. He abstained from saying anything about the unfortunate town of Paisley, because her Majesty's Government had already directed an inquiry to be made into the causes of the deep distress which prevailed in that town. He believed that good would result from a general inquiry into the distress, which he said to be almost universal. In that part of the kingdom with which he was connected, a new trade of a very distressing character had of late made its appearance—the trade of begging; a trade which, if not directly authorised by the magistrates, was at any rate winked at by them. Going through the streets of the town which he represented—a town once famous for the prosperity and independence of its artizans—the passenger would now see numerous groups of active, able-bodied young men, from the ages of eighteen to forty-five, standing at the corners of the streets and lanes, ready to ask charity. Such was the change which pinching want had produced in the character and feelings of men who never could stop to ask charity before; and in a country where it was thought exceedingly discreditable to be in any way dependent for subsistence upon alms or parochial aid. The number of unemployed persons in Greenock was very great. From the report of the relief committee, it appeared that the number of families now upon their list amounted to 1,119, and consisted of 4,654 individuals. From another document it appeared that the number of able-bodied workmen out of employ on the 14th of January last, was 5,639, being nearly 1,000 more than the number of persons deriving aid from the relief fund. Another proof of the destitution that prevailed in Greenock might be found in the increase of the parochial poor. Last year the number of parochial poor amounted to 2,061, and the assessment for their relief was not less than 5,844*l.* But at the general meeting for determining upon the assessment for the relief of the ordinary parochial poor for the ensuing year, it was thought necessary to vote 1,200*l.* in addition to the 5,844*l.* Greenock was a town that traded with the whole world. No stronger proof, therefore, could be afforded of the distress under which it was suffering, than in the decline of its shipping interest. It appeared that, out of eight shipping establishments, which, two years ago, were in full operation, and afforded employment to 2,000 persons, five had become insolvent, and the remaining three were only able to give employment to 600 or 700 hands. In the shipping yards the decline was equally conspicuous. Most of the vessels were for sale, and no new ones were in the course of building. In 1840 the shipping in the course of building, at Greenock, amounted to 1,500 tons. At the present moment there was only one steam-vessel building. All the other branches of industry and trade were in a corresponding state of depression, and without the slightest symptom of improvement. Among the many subjects which he had been solicited to consider, the one which had engaged particularly his attention was that of the state of Glasgow. With respect to that city, he had received the following statement:—

> "Wages generally have declined: male cotton spinners, who in 1840 were receiving on an average 1*l.* 7*s.* 9*d.* per week, have been reduced, in 1840, to 16*s.* 7*d.* per week; power-loom weavers, who in 1840 were receiving 8*s.* 1½*d.* per week, are now reduced to 6*s.* 10¼*d.* Masons' wages, which in 1840 were 22*s.* 6*d.*, are now down to 17*s.* and 18*s.* per week. A similar fall has taken place with nearly every description of tradesmen. A considerable number of vessels are lying unemployed at Glasgow, and the other ports on the Clyde. The shipping trade generally has been most unprofitable during the last year or two. Seamen's wages have been reduced from 3*l.* to 2*l.* per month within the last twelve months. The revenue of the port of Glasgow, which, in the financial year ending in 1841, was in round numbers 48,000*l.*, was, in the year 1842, reduced to 40,000*l.*—a falling off that is mainly

to be attributed to the depressed state of trade. There are about 3,400 unemployed, but capable of working, in Glasgow. There are twelve spinning and weaving factories not now working. In Glasgow and the suburban districts the amount assessed for poor-rates for the year 1840-1, was 23,077*l.*; ditto, 1841-2, 28,505*l.*; ditto, 1842-3, 31,521*l.* It appears by the last report of the inspector of prisons, dated June, 1842, that the number of prisoners confined within the gaol of Glasgow was at that period 560, and the inspector remarks, 'The number is considerably greater than it was last year, and yet greater than the year before, which the governor attributes chiefly to the continued bad state of trade.'"

In a subsequent part of the same report, the inspector says,—

"I have on several occasions had to speak of people who are in this prison, not as offenders undergoing imprisonment, but either as persons whose periods of confinement having expired, had applied for permission to remain until they had earned money enough to buy clothing, or till they could procure employment, or who, being in a state of destitution, had applied for admission. Except those engaged in washing and cooking, and a few others, these prisoners are placed in separate cells, like ordinary prisoners, and all of them receive the same plain food—are expected to perform the same quantity of work, and to rise at the same early hour as the other prisoners, and, in short, are subjected to the same discipline, including, of course, the total loss of personal freedom. Nevertheless, owing to the present state of distress, there are at present no fewer than fifty such prisoners, consisting almost entirely of females, and there would probably be more if there were room for more."

Still further on, the inspector alludes to the circumstance of individuals committing crimes merely that they might obtain the shelter of the prison, and he remarks,—

"The fact that a considerable number of persons are found willing to place themselves under the severe discipline of a prison, argues a state of want and privation in a portion of the community, calling loudly for inquiry."

The amount of disease has been less this year than for several years. The applications to the benevolent societies are very greatly on the increase. The number of students attending mechanics' institutions are much the same for several years, but latterly the subscriptions for their support have been falling off. Upwards of thirty emigration societies have been formed in Glasgow within the last year, twenty-eight of which are now united together, numbering 3,354 souls; but there is no expectation of raising sufficient funds, unless aid is afforded by Government. Public begging has increased to an alarming degree within the last year. Captain Johnstone, harbour-master, is of opinion that the present state of the shipping at the Bromielaw is not worse than last year. The shipping trade was then unprecedentedly dull, and it continues so. At present, he states the number of vessels waiting freights at the Bromielaw to be about 24, averaging from 80 to 150 tons burthen. The trade between Liverpool and Glasgow also appears to be in a backward condition. Last year there were five, and occasionally six steamers plying between the two ports, this year there are only three, and the freight of goods has been raised 1*d.* per foot by the different companies. Mr. Muir, of the tonnage-office, has kindly supplied the annexed information of the imports and exports of Glasgow—

COALS.

1841.	Exports	193,619 tons.
1842.	Ditto	163,777
	Decrease	29,842

PIG IRON.

1841.	Exports	89,489 tons.
1842.	Ditto	78,314
	Decrease	11,175

CORN AND FLOUR.

1841.	Imports	92,684 qrs.
1842.	Ditto	66,298
	Decrease	26,386

COTTON.

1841.	Imports	19,150 bales.
1842.	Ditto	11,188
	Decrease	7,962

Mr. Steel, manager of the Clyde Shipping Company, states that such is the depression with them, that only about the one-half of their vessels are at present employed.

"Glasgow Distress—Jan. 21, 1843. The parish officers are busy in the suburban districts, examining and transferring vagrants to their respective parishes. Glancing at a long list of cases lying before us, in which every necessary particular is stated, we find a goodly number from Ireland, but the majority belongs to this country, their ages varying from nine years to ninety-two; again, in hovels situated in closes and winds, the distress reached such an alarming height that, in the absence of all other public aid to prevent death from starvation, the directors of the Night Asylum, with a generosity worthy of imitation, have come forward and supplied four hundred daily rations of bread and soup to the most necessitous

> cases, placing the tickets in the hands of the city missionaries, as those best acquainted with the extremity of distress. Benevolent ladies and gentlemen have supplied about another hundred tickets, and thus five hundred rations are now daily issued. The City and Gorbals Police have been collecting clothes and money this week; and though this collection is not attended with the success of former years, still, of clothes there is a fair supply accumulating for distribution. But by far the most interesting class of sufferers, and those most calculated to make an impression on the thoughtful, is that of our unemployed and consequently distressed operatives. At a recent meeting, it was calculated that they amounted to nearly 3,000 individuals, for whom no relief whatever has been provided. Nor is there a relief fund or committee at the present time in existence in Glasgow? To show that this does not arise from imported distress, or is confined to the manufacturing trade, we may mention that the number of unemployed is thus subdivided; engineers, smiths, moulders, and boiler-makers, 500; labourers, 600; plasterers, 40; masons and joiners, 900; carpenters, 200; power-loom dressers, 90; dyers, 200; slaters and plumbers, 50; cotton carders, 50; calico printers, 50; quarriers, 300; bakers, 100; painters, 150; calenderers, 50; weavers, 500; tailors, 350. Need we add more to shame the public of Glasgow into systematic exertion, and the Legislature, on its first sitting, into serious consideration?"

He understood that nothing speculative was now undertaken; and that which many denounced as an evil, he considered an important benefit. He saw great advantage in speculation, provided it were not carried on with other people's money; and it was a bad feature in the present times, that no spirit of enterprise of that kind was apparent in any part of the kingdom. Another point to which he had not adverted last Session was, that there existed no rising generation in trade. Those who had no money had no prospect of advancing in the world, and those who had money took special care to keep it, and, having mounted to the top of the ladder, made no scruple to kick down all who endeavoured to follow them. There were, therefore, no young traders coming forward to take the place of those who were retiring. It was observable, also, that the most fashionable shops in the most fashionable streets of London were now full of ticketed goods, and the aristocratic part of the town resembled in this respect the remoter quarters and by-ways of the metropolis. Shopkeepers as well as bankers were in dismay, and nobody knew how to apply capital to the smallest profit. He wished to direct the attention of the House to the state of the shipping interest of Liverpool. The number of vessels on which dock dues were paid in

1839	..	15,445 vessels	..	2,158,691 tons.
1840	..	15,998 „	..	2,445,708 „
1841	..	16,108 „	..	2,425,461 „
1842	..	16,450 „	..	2,423,519 „

Thus it appeared that there was a great increase of vessels lying in the docks of Liverpool without employment. With regard to the construction of ships in the same port, it appeared that

> "In 1839, 1840, 1841, the building in Liverpool was considerable; in 1842, few vessels were built; and at present there are not more than three upon the stocks. North American vessels, which were sold in 1840 10*l*. 10*s*. per ton, were sold in 1842 at 6*l*. per ton; and those which sold at 8*l*. 10*s*., in 1840, were sold in 1842 at 3*l*. 10*s*. to 4*l*. per ton."

Another correspondent, under the recent date of February 1, gave the subsequent statement:—

> "On the 16th of December, 1842, 22,868 tons of shipping were on sale in the docks at Liverpool. The statement made is undoubtedly underrated, as it only contains the ships actually on the market for sale at that time. Could owners get anything like cost prices, the number of ships offered for sale would be greatly increased. The number was fifty-three ships, which gave the above number of tons."

Another correspondent says,

> "The whole of the past year has been one of severe loss and disappointment to the ship-owner. Freights, both in the East Indies and America, have been depressed below all previous experience, and the utmost difficulty has been found in procuring employment for vessels on even saving terms, while seeking ships have, in most cases, sunk money. That under such circumstances, the sales of ships have been few, and at rates far below their cost; and that many not actually broomed for sale have lain idle in dock for months together, is only what might naturally be expected. The news from China gave slight impulse to the demand for vessels, and a few sales were effected, and higher prices asked, but I believe not obtained, and this slight relief appears to be passing away."

He could assure the House that there existed a feeling abroad in the country, such as he had never known before: he had mixed much with the people, more perhaps than any other hon. Member, for during the two years and a half that the Reform Bill was in progress, he had often put himself in the midst of immense masses of people, and had been the first Scotch Member of the Birmingham Political Union. He was, therefore, well acquainted with the wishes and dispositions of the people, although since he had been a Member of Parliament his intercourse had not been carried to the same extent. He could, therefore, bear witness that there prevailed a general distrust of the Legislature—or a want of confidence arising not merely from distress, but from the reluctance of the House to inquire into the causes. It was possible that Ministers, having the power to institute an inquiry, had availed themselves of it, and had obtained information on the subject; but, certainly, if such were the fact, the people knew nothing of it, and they naturally doubted it, and they considered that there interests were neglected. The refusal of the present motion would much tend to confirm the low estimate entertained of the Legislature out of doors. The last document to which he was anxious to call the attention of the House was a letter which appeared in the *Morning Chronicle,* a few days ago, addressed to the President of the Board of Trade, respecting the commissioner's report on the sanatory condition of certain towns in the country, and the disease and immorality prevailing in them. He was not prepared to believe that they existed to such a frightful extent, until he read the report. The statement had been printed in that influential and widely-circulated paper the *Morning Chronicle,* and after reading it, he felt that other parts of the kingdom besides London had a right to expect that something should be done for them. Immense sums of money had been expended upon drainage and ventilation in the metropolis, and the benefit ought not to be confined to one place only. [" An hon. *Member*: The money laid out in London is to be repaid."] Such might be the case, but it seemed to him doubtful, when the money was once laid out, whether it would ever be got back again. Let this be as it might, the same advantage ought to be given to other places in which destitution, disease, and demoralization were equally prevalent. The facts were of such a nature that he should be ashamed to read the details to the House, though he gave great praise to the editor for inserting them in the newspaper. Hon. Gentlemen opposite being Conservatives, perhaps, did not read the *Morning Chronicle,* but he had brought it with him to the House that he might not be deficient in evidence should it be required. He thanked the House for having listended to him so patiently, and assured it that it had not been his wish to say anything needlessly painful or injurious to any party. He had merely done what he considered his duty, and he trusted that the facts he had adduced would have due influence upon those who heard them.

Mr. *Escott* said, that the hon. Member who had just sat down had truly stated that the question for the House to consider was, how, as the Representatives of the people of England, they were to find work, employment and remunerative labour for the distressed portion of the population. But had any hon. Member stated how by adopting the motion of the noble Lord, they were to find remunerative labour for the people or one particle of relief for their distress? If he thought that such would be the effect of the motion he would scorn party on such a question, and support it. The existence of some distress was admitted on both sides of the House. He agreed with the noble Lord that the distress ought to be remedied; but he had listened in vain to the noble Lord and those who followed him, for the proposal of any practical remedy for that distress. The noble Lord disclaimed party motives in bringing forward this motion, but when he saw that one possessed of the great ability of the noble Lord, brought forward a motion of this kind, without offering any practical remedy, one was compelled to look about him not for the motives but for the reasons of the noble Lord in making his motion. They were told that, if they refused this motion, it would be a refusal to inquire into the distress of the country. He would tell the noble Lord before he sat down why they refused this inquiry, and he wished the country to know what was the real question before them. The real question before them was, whether they would consent to go into a discussion of the question of the Corn-laws, with the Speaker in the Chair, or with the Chairman of the committees of Ways and Means. That was this mighty question propounded to the House by the noble Lord for the relief of the people. It was not for a select committee to inquire into particular distress. The noble Lord very plausibly stated, that the object of his motion was inquiry, and that it would be time enough to propose a remedy when they entered on the inquiry. But if the noble Lord had not a party object in bringing forward his motion, it was very remarkable that the noble Lord had abstained from alluding to two particular points, either of which would have lessened the minority whom he expected to support him on this question. Now, how stood the facts? If the noble Lord had avowed himself as the advocate of a fixed duty on corn, he would not receive the support of those hon. and consistent men who sat behind him, and who considered a fixed duty to be a fixed injustice, and if, on the other hand, he avowed himself the advocate of a total abolition of all protection whatsoever, he would lose the support of the noble Lord the Member for London, who was the avowed advocate of a fixed duty; and he would also lose the support of that section of the Whig party who were favourable to a fixed duty. So that in either case, had the noble Lord made such an avowal, he would find himself in a minority, miserable in point of numbers, however honourable in point of character it might be. But that which the noble Lord had wisely omitted had been supplied by the right hon. Gentleman the Member for Taunton. An hon. Gentleman whom he saw in his place had lately gone on a tour to enlighten the country on the subject of the Corn-laws, and in a town which the right hon. Gentleman opposite (Mr. Labouchere) represented, that individual delivered a lecture on the Corn-laws. In consequence of this a number of the inhabitants of the town of Taunton, which the right hon. Gentleman opposite represented, sent to their Members a memorial, stating their desire that they would support what, a fixed duty? No, but a repeal of the Corn-laws, and of the taxes on all articles which formed part of the subsistence of the people. The right hon. Gentleman returned them an answer to this effect. That, however desirous he was to support a modification of those taxes, he was not prepared to vote for the total abolition of those duties—that the immense amount of revenue at least 10,000,000*l*., which would thereby be sacrificed, would alone deter him from pledging himself to support any such total repeal, besides which, he feared the effect it would have on the money and landed interests both at home and in our colonies. The right hon. Gentleman further stated that he was opposed to the sliding-scale, because it was condemned both by reason and experience; and he believed that, in the existing circumstances of the country, a moderate fixed duty would be the best solution of this momentous question." Thus spoke the right hon. Gentleman, a good specimen of a moderate Whig. But, before this question could be solved, it would be necessary for the noble Lord and his friends to solve another, and the object of the present motion was to gain time, until they could agree on what that moderate fixed duty should be, that would be most likely to meet the general support of their party. He knew that the opinion in favour of a fixed duty was a strong one; but what was the fact? In the last Session of Parliament that House had entered into a patient examination of the question of the Corn-laws; and after much consideration they had decided upon a new system. The measure which they had carried had received the deliberate sanction of the other House of Parliament. It had become the law, and now in breathless haste a party came under the flimsy guise of the noble Lord's motion, and asked them to repeal the bill of last Session. He asked that House, having last year decided that question, did it become the Legislature of a great commercial country, and least of all of a country in a state of distress, to turn about and say to all the great interests of the country that all that had been settled would be unsettled, and that all those interests would be thrown into confusion—in the lottery of Legislation—not because what they had done in the last Session was bad, but that something that might be done now might posssibly be better. Was that a course which Parliament should be called upon to take? The present debate, so far as it involved a contemplated change in the Corn-laws, had been carried on in a remarkable manner. The noble Lord who introduced this motion seemed chary of even pronouncing the words "Corn-laws;" he was, at least, certain that he had never spoken of the Corn-law of last Session as the cause of the distress of the country; he thought he had never even mentioned a Corn-law. The noble Lord talked of the restrictions of importation, and of the expediency of abolishing those restrictions; and every hon. Member who followed him acted in part, though with less of discretion, on the noble Lord's example. It was a pity that those who thought a repeal of the Corn-laws a remedy for the distress of the country omitted to point out how it was to operate as a remedy. If there was anything which an alteration in the Corn-law could effect they must suppose that its great benefit would be in cheapening the necessaries of life. Unless this was the effect expected from its alteration, he did not see why the hon. Members for Bolton, Greenock, and even the noble Lord himself, had put forward such detailed statements of distress from want of food. Well then, if cheapening the food of the people by an alteration of the Corn-law was to relieve the distress, how did it happen that whilst the price of provisions had decreased one-third since last year, the amount of distress has increased one third. But the hon. Member for Sheffield had told the House that now, with cheapened commodities, distress was increased; and yet, if the motion of the noble Lord meant anything, it was an attack on the measures of the last Session. He granted to the noble Lord and the right hon. Gentleman opposite, that there was some slight foundation for the triumphant cry which they were raising that many of the friends of her Majesty's Government were dissatisfied with those measures. But he would tell those friends of the Government who were so dissatisfied, that they had better repress that dissatisfaction until better arguments were shewn for its existence than those which had been used by the hon. Member for Knaresborough. He could not help telling that hon. Member, when he spoke of the reduced price of agricultural produce, and the consequences of the Ministerial measures, that he had not forgotten the voice which was raised in the House last Session in praise of those measures, fraught with a message from the working-classes of the North of England, which message ran, if he mistook not, in some such words as these, "God bless Sir Robert Peel for cheapening oatmeal." If it was right last Session to invoke a blessing on the Minister for cheapening oatmeal, it surely was not right now to find fault with the Minister for the intended effect of those same measures. There were circumstances in the state of the country last year which would have made it a breach of duty on the part of the Government not to take some steps to relieve the trade and commerce of the country, and to cheapen the necessaries of life. Believing in that necessity, he had voted for the measures of last year, and he believed any dissatisfaction that was felt existed more out of the House than in the House. This was what the hon. Gentlemen opposite calculated upon. They thought that before another general election the dissatisfaction of the agricultural interest, the objections that might be felt to the Income-tax, and other circumstances fostering discontent, would enable them once more to obtain a majority in that House. He could not see, however, at the present moment that there was the least chance of that expectation being fulfilled, certainly the prospect was anything but flattering for them. If the necessity existed, and the trade of the country required that something should be done to stimulate it, and to cheapen the necessaries of life, the agriculturists were not so foolish and shortsighted as to believe that their interest could be permanently injured by any measures which operated as a benefit to the whole community. These were truisms in politics. He believed they had been acted upon. He had stated that opinion in places where it was not likely to be so well received as in that House, and it had met the concurrence of men of all parties—for it was felt by honourable men that the interests of all parties should be consulted on such a question, and the agriculturists knew they could not prosper unless trade was thriving, and trade could not thrive unless the interests of agriculture were maintained. There was no probability that extreme opinions would prevail on this question. He had believed, that the arrangements of last Session had been a practical application of these principles to the state of the country; as such he had supported it. He admitted, that some were dissatisfied—when would that not be so? Much as he respected his hon. Friend, the Member for Wallingford, and all who maintained the uniformity of their opinions in difficult times, the object nearest his heart, and which should be the guide of his public life, would be to vote for that which he believed to be for the benefit of the country. It might be called courage to stand by existing systems, but there was another courage which a man anxious for the benefit of the country must exercise, and that was not to be afraid of any imputations which might be cast upon him, to be afraid of nothing but doing wrong. He had a word to say to some hon. Members opposite. Those who opposed a change in the Corn-law were described as standing between the people and their daily bread, and as preventing the working classes from reaping the fruits of their honest labours. He did not concur with those who accused hon. Members with the worst designs and intentions in using that language, but he begged those who did use it to consider the consequences of pursuing such a course. He remembered an observation which had been made by a noble Lord, once a Prime Minister of this country, in a debate on the Roman Catholic Association. It was stated, in reference to some language that had been made use of, that however strong those opinions or expressions might be, in point of fact they were the safety valves of the constitution. The noble Lord (Lord Melbourne) replied, that instead of the safety valve he considered them to be the boilers which generated the steam. He did not accuse those hon. Gentlemen of wishing to excite men to violence and crime, but let him caution them of the effect that the use of strong and violent language was calculated to produce, and let him add, that men must be held answerable for the natural consequences of their own words and actions. In that House, where their excellent education and character was known, such language was comparatively harmless; but it was not so when in large assemblies of the people, those who resisted the repeal of the Corn-laws were described as standing between the people and their daily bread. Would they tell the people of this country that nothing had been done, when it was an admitted fact that relief had been afforded to the extent of a third in the prices of provisions of all sorts? Was it nothing to the working man to get three loaves instead of two? It was untrue to say, that nothing had been done for the country. It had been complained on the other side of the House, and in some parts of the country, that the right hon. Baronet at the head of the Government had not stated whether or not he meant to go any further in removing restrictions, or abide by the present law. All he (Mr. Escott) could say was, if he could conceive it possible for any person in the position of Prime Minister of this country to utter anything so foolish as a pledge to abide by all the provisions of a particular measure—and above all, of a Corn-law — he was one whom he would never consent to trust as the leader of the great constitutional party of England. But he was also of opinion, that it would be quite as great a folly, on the other hand, to unsettle in one Session of Parliament a law that had been solemnly settled in the preceding Session; and he could not conceive how it could enter into the mind of any reasonable man to believe such an intention was ever entertained by the right hon. Baronet for a single moment, or that he could be caught in so clumsy a snare. He admitted, that the country was in a state of considerable difficulty, but he believed also that the measures of the last Session had a strong tendency to relieve the distress that was acknowledged to exist, and, therefore, he should oppose the motion of the noble Lord. He should oppose it for the sake of the people who were less attached to party than to common sense, and who, whether agricultural or commercial, disliked extreme opinions and violent councils, and who never would follow men who, while they aggravated all that was evil, had no intelligible remedy for its cure.

Mr. *C. Wood* expressed his surprise that, after the admissions and statements which had been made by several hon. Member in proof of the general nature of the distress, two hon. Gentlemen, the Members for the county of Durham, and Shrewsbury, should have ventured to assert that it was but local. If the motion of his noble Friend rested merely upon local distress, he (Mr. C Wood) would agree at once that there were no sufficient grounds for it; but the admission on both sides of the House, offered a convincing proof that the distress was general as well as most severe. It had been already admitted to exist in Sheffield, in Nottingham, in Ireland, in Scotland, and in the West Riding of Yorkshire, and all doubt on the subject was dissipated by the statements which had been made on the subject. In fact, the distress was more general and more severe than had ever been remembered by the oldest inhabitants of the country. In Leeds, for instance, the capital of the domestic woollen cloth manufacture, it appeared that the distress of the people had more than trebled in the short space of two years. This was shown by the number of paupers relieved in that township on each of these periods. There were relieved in 1840, 3,400 persons; 1841, 7,300; 1842, 14,800. In the adjoining township of Holbeck, the poor-rates were doubled within the same period of three years. For instance, they were in 1840, 1,900*l.*; 1842, 3,800*l.* In another township adjacent to Leeds, a similar increase had taken place, the poor-rate being in 1839, 900*l.*; 1840, 1,400*l.*;

1841, 1,700*l.*; 1842, 2,100*l.* While in a township at a distance from it, the number of paupers had kept pace with the increase in the poor-rates, there being relieved in 1840, 1,000 persons; 1842, 2,000. He (Mr. C. Wood) could furnish the House with many other statements to the same effect, referring to other places in the same district; but they would, no doubt, be brought forward by other hon. Members for the same division of the county. Whence did this increase of pauperism in Leeds arise? From the loss of capital, the want of employment, and the diminished means of paying wages. In the last four years no less than ninety-four firms had become insolvent in Leeds, and their liabilities amounted to 1,500,000*l.*, and what dividend did the House suppose had been paid upon that sum? The dividend did not exceed *5s.* in the pound. In one trade alone the sum paid for wages was less than that paid when the people were in full employment by no less an amount than 430,000*l.* Thus it was manifest that the means of employing the people were diminished; and the consequence was, distress and misery among the labouring population, starvation and death. The accounts from the superintendent registrar of that district showed that there had been an increase of mortality to no less an amount than 3 per cent. in two years. The number of marriages had decreased. The number of births had decreased; but he grieved to say, that the illegitimate births had increased. This was the state of the largest town in the West Riding of Yorkshire; and the distress in Lancashire was even greater. They had the authority of the noble Lord behind him (Lord Worsley) that it had extended to the agricultural population of Lincolnshire. He believed it was as great in parts of Devonshire. He felt he was warranted in asserting the suffering of the people was general and severe, such as had never before existed from one end of the kingdom to the other; and in the midst of such a state of things the Government stated that they were prepared to do nothing. The right hon. the Vice-President of the Board of Trade had quarrelled with the form of the present motion; but he (Mr. C. Wood) contended that the motion was perfectly in conformity with Parliamentary precedent. The hon. Member for North Durham, and the hon. Member who had just sat down, had endeavoured to treat the present motion as a vote of want of confidence—as a party motion. His noble Friend had not brought forward the motion with such views; and had he entertained them, a more legitimate mode of giving expression to them would have been by proposing a committee on the state of the nation. If the Vice-President of the Board of Trade wanted authority for such a course, he would refer him to his Colleague, the Paymaster of the Forces. A state of circumstances similar to the present state of the country, but not near so severe, existed in 1830, when allusion was made in the Speech from the Throne, to the distress under which part of the country was suffering. The right hon. Gentleman the Paymaster of the Forces (Sir E. Knatchbull) then thought it incumbent upon him to bring the subject distinctly before the House, by an amendment to the Address, expressing the opinion of the House that the distress was general, and that the House would take it into consideration. He (Mr. C. Wood) voted for that motion, and the right hon. Gentleman was not prevented from making it by objections to the manner of bringing it forward. The present motion was not open to the same objections. It was neither ungracious to the Sovereign, nor unfair to the Government. It was not until the right hon. Baronet had told them that he could give no hopes whatever of relief, that his noble Friend made this motion; and if the right hon. Baronet had given a contrary assurance, he (Mr. C. Wood) would undertake to say, that the motion would not have been made by his noble Friend. But though the objections in form were removed, the substance which justified the course adopted in 1830 remained the same; and he called upon the House by assenting to the motion of his noble Friend, to assure the country, as the right hon. Baronet opposite would have done in 1830, that "their earnest endeavours should be directed to relieve the country from its present difficulties." It was objected that his noble Friend made no specific propositions. It was not the duty of his noble Friend to do so. It was to the Government, with the means of getting full information at their disposal, that the House and the country had a right to look for a specific proposition. It was enough for an independent Member, or for the House, to indicate a general course of policy, and urge that upon the Government. That was done in the present case. They did not ask for a committee of inquiry, to hear evidence of distress, as some hon. Gentlemen seemed to suppose. The object of the motion was to express the opinion of the House, that the course adopted by the Government of doing nothing was wrong, and this ought to be done in general terms. If ever there was an occasion on which such a course was justifiable, it was the present. No difference existed on the subject of the existence of the distress, nor did any exist on the remedies to be applied to it. He (Mr. C. Wood) only called on the hon. Gentlemen opposite to carry their own principles into practice, and to execute their own explicitly avowed intentions without any further delay. The Member for the West Riding talked of the home demand, but it was not to the want of a home demand as far as the agricultural population were concerned, that the distress of the manufacturing districts was traceable; for that demand had been as great as ever it was for the last four years, inasmuch as during that time the prices of agricultural produce had been higher than there was reason to expect they would be again. It was, therefore, to the failure of the foreign demand for our manufactures that this distress was clearly attributable. The only measure of relief which it was in the power of the Legislature to apply was to remove the restrictions and the fetters which shackled our foreign trade, and which prevented the importation of foreign produce, restrictions which had been imposed by the ignorance and prejudice of former ages, but which might now be allowed to give place to more enlightened views of policy. It was upon the principle which involved this course of proceeding that the Government had acted during the last Session, and the same principle had been now again avowed by the right hon. Baronet and by the Vice-President of the Board of Trade who had spoken on a former evening. The latter right hon. Gentleman had distinctly said, that the object of the Government was to increase the means of employment for the poor, by cheapening the prices of the articles of consumption, and by encouraging our foreign trade, by affording new means of exchange, and so augmenting the export trade of this country. He agreed in the importance of these objects; but he complained that the principles which had been last year avowed by the Government had not been adequately carried out. The advantages of the tariff had been adverted to by some hon. Members, but he thought that that could not be said to be an adequate measure of relief. It was quite right as far as it went, but did not do enough. The customs produced about 20,000,000*l.* of revenue per annum; and, by referring to the provisions of the Tariff Act, it would be seen that there were twelve great articles producing no less than 17,000,000*l.* of this which had been left untouched. But the right hon. Gentleman had referred to the question of timber: no doubt that was an important article of trade; but he must say that, in his view, one great advantage which was to be gained from dealing with this article was an increase of revenue, which might have been gained, and not that loss of revenue to which the right hon. Gentleman had referred. That loss of revenue was one which he thought the Government would have cause to repent. The right hon. Gentleman had told the House that the effect of the measure which had been adopted was to increase the price of timber. He would not now inquire how far that was true; he believed that it would be found to be incorrect: but the assertion had gone forth to the country that a loss of revenue had been incurred, that the consumer had not been benefited, and that the whole amount of revenue which this country had lost had been put into the pockets of the producers. There were various other articles on which a reduction of the duty would have been far better than on those selected. Wool, for instance, the staple of the Leeds manufacturer. Last year, the importation of foreign wool, the principal material wrought in that town, fell off very considerably. In 1841, the number of bags of wool imported being 62,000, while, in 1842, there were no more than 47,000. He would not enter into a discussion of the old question of the sugar duties; but he thought that no one could doubt that if two years ago the duty on sugar had been reduced, and the importation of that article increased, the country would now have been reaping the benefit of an enlarged demand for our productions in the improved condition, and the greater comfort of the people. He believed there was no article of which the consumption might be so much extended, and with so much advantage, not only to the material comfort, but to the moral condition of the people, as sugar. It was not, however, his intention to detain the House with specific proposals; his object was to urge the Government to carry out its own principles, to which he had heard no objection till towards the latter part of the speech of the Vice-President of the Board of Trade. The right hon. Gentleman there called on his noble Friend (Lord Howick) for a demonstrative proof of the principle that removal of restrictions on trade caused it to increase. He asked, if they were "without knowledge, upon speculation, to assume that increase of trade which the noble Lord presumed, but which he had not attempted to demonstrate," what proof did the right hon. Gentleman require? The most conclusive answer to that demand would be found in the speech of the right hon. Gentleman himself. Her Majesty's Government reduced the duties on certain articles of trade last year. Did they do it as an experiment, or was it done from a conviction that it would increase trade, and, thereby, benefit the country? If the latter, as they must admit, why object to the further application of the principle? What ground then had they for opposing the motion of his noble Friend, and the objects he had in view in making it? The Government asserted the success of their experiment of last year, in reducing the duties on imported articles. The Vice-President of the Board of Trade had enumerated several articles of which an increase of import had taken place, oak-bark, olive-oil, turpentine, indigo, &c.; and he distinctly attributed this increase to the effect of the tariff, for he said that "the dimunition of duties made last year had had the effect of stimulating labour, and the application of capital to the trade in the articles to which the diminution applied." He (Mr. Wood) took the right hon. Gentleman's own statement, and he asked if demonstration could go further than this; and what justification the Government had when they now turned round and repudiated not alone their own doctrines but their own statements. The hon. Member for Winchester, and the Vice-President of the Board of Trade, had by their speeches turned the principal part of the discussion to the question of the Corn-laws. This certainly was the most important question of all, for none could more materially affect the welfare of the larger class of the nation, for whose benefit he held the House were bound especially to legislate. The import of other articles might affect their comforts, but corn and bread were the commodities upon which their lives depended. Hon. Gentlemen opposite were but little aware of the extent to which the consumption of corn was affected by its price. Towards the end of the last Session of Parliament he had moved for a return of the quantity of wheat sold in six large market towns for the eight months preceding the middle of June last, and he (Mr. C. Wood) thought the House would be surprised at the extraordinary difference in the quantity sold at different periods in those towns. He had moved for the return to be made at the intervals of three years, viz. for 1836, for 1839, and for 1842. The towns from which the returns were made were Leeds, Wakefield, Liverpool, Mânchester, Birmingham, and Nottingham. From the returns he found that in 1836 the average price of wheat was 49*s*. 7*d*. per quarter, and the quantity sold was 16,000 quarters. In 1839 the average price had risen to 70*s*. 7*d*. per quarter, and the quantity sold in that year fell to 7,600 quarters. In 1842 the average price was 61*s*. 11*d*. per quarter, and the quantity sold was 12,500 quarters. Now, if this was any test of the consumption by the people in those neighbourhoods, or of the quantity of bread consumed by them, he asked hon. Gentlemen opposite to reflect upon, and to consider what must have been the state of misery inflicted upon that population when not less than one half their daily bread was taken from them—for between the years 1836 and 1839 the diminution in the quantity of wheat consumed was more than one-half, as the return to which he referred most clearly showed. When they reflected upon the amount of suffering and misery inflicted upon the population by the increase of the price of corn, the first necessary of life, no feeling of self-interest ought to impede hon. Gentlemen in giving full weight to the arguments derived from these considerations. He believed, however, that in affecting an alteration in the law in this respect, the interests of the agricultural interests would not suffer; for he was sure that their interests were mixed up with the prosperity or suffering of the manufacturing classes. To what but to the distress of the manufacturing population could the present low prices of agricultural produce be attributed? No doubt, the fall in the price of wheat was owing to the concurrence of an early harvest and the operation of the sliding-scale; but the continued low price both of wheat and of meat must be attributed to the prevalence of distress. The price of meat was indeed a better test than that of corn; and it was impossible to attribute to the insignificant importation of cattle which had taken place the low price of butchers' meat. He believed that the Tariff Act had had no effect on the price of corn or meat, and he should like to hear from the right hon. Baronet opposite a solution of the proposition which he had laid down last year, and which he had now repeated, that the amount which was taken away by the Income-tax from the pockets of the people would be more than returned by the effects of the altered system of Customs' duties. The right hon. Gentleman the Vice-President of the Board of Trade did not agree in this proposition, for he had said that he could not attribute to the tariff more than slight effects upon the price of corn and other commodities. If that were so—if, in the opinion of the right hon. Gentleman, no more than a slight effect had been produced upon the prices of those commodities, he (Mr. C. Wood) should be happy at least to know whether the right hon. the Vice-President of the Board of Trade and the right hon. Baronet the First Lord of the Treasury disagreed upon this subject? or how it was that the right hon. Baronet could contend that what he took out of one pocket in the shape of direct taxation, he put into the other by a diminution in the prices of commodities of general consumption. But there was another effect which the distress amongst manufacturers had produced upon the agricultural districts, an effect of which gentlemen of the north of England were more sensible than those of the south, and it arose from the amount of labour thrown back upon the rural districts in consequence of the impossibility of employing it in the manufacturing districts, though there these labourers had been in the habit of obtaining their livelihood for years. This evil went to an extent of which he was sure many hon. Members were not aware. Now, he found that in Leeds alone the number of families put under orders of removal in 1840 amounted to 100; in 1841, to 137; and in 1842, to 313; and thus, taking the ordinary calculations of five persons to each family, it appeared that in the last year no less than 1,500 paupers had been put under orders of removal, and thrown back upon the rural parishes where they had settlements, though probably they had been employed in Leeds for a long series of years. He would just make another statement on the point, from Settle, in Yorkshire. The Settle Union consisted of thirty parishes, twenty-one of which were agricultural. In that union in the year 1841 there were 832 paupers altogether. In 1842 that number had increased to 1,637, being an increase of 805, and out of that 805 no less than 299 persons had been sent back to the rural parishes from the manufacturing districts. Now, he (Mr. C. Wood) must say, that these removals formed a considerable addition to the burthens of the rural parishes, which already had a large surplus of labour. He believed there was no single thing by which agriculture was so much benefited as by the prosperity of the manufacturing industry of the country, for, after all, the manufacturers were the customers who bought that which the agriculturists produced, and upon their means to purchase depended the price which agriculture obtained for its produce. He believed that it was essential for the improvement of trade that the Corn-laws should be altered, and the increased prosperity which that alteration would give to manufactures would confer more benefit to the agricultural interests than any injury they could possibly suffer from the change in the law. At the same time, he felt bound to say that he did not attribute that exclusive importance to an alteration of the Corn-laws which was attributed to it by some persons. Looking at the imports of corn for the last four or five years, he must say that he did not know, under any probable alteration of the Corn-law, that the exports could be considerably increased. During the last five years there had been imported on the average 2,000,000 quarters of wheat. It was hardly possible to suppose that with such an amount of import the country must not have exported manufactured goods in return to the value of 4,000,000*l.* per annum. But what would be the effect of any check being given to so large an importation of corn, and consequent exportation of our manufactures? It could not but be most disastrous in the present state of trade, and he thought it an object of the greatest importance to render the importation of corn regular, to make the trade certain, and the prices steady. Nor was this of less importance to the farmer than to the consumer. He believed the country suffered most from the fluctuations in price which were inseparable from the sliding-scale. Under the amended bill of the right hon. Baronet, the price of wheat had varied from 64*s.* 7*d.* at the end of July, to 46*s.* 10*d.* before the middle of December. But the House and the country had been told to expect a steady price at about 56*s.*—certainly never below 54*s.*, nor above 58*s.* This was the result of the sliding-scale. The effect of that scale was, that all the corn came in contemporaneously with the harvest. It had been so for the last five years. In 1838,the whole quantity of wheat imported was 1,728,000 quarters, of which 1,480,000 came in during the months of August and September; in 1839, a year of great scarcity, 779,000 out of 2,500,000 for the whole year; in 1840, 1,390,000 out of 2,000,000; in 1841, 1,970,000 out of 2,450,000 were entered in those two months. In 1842, this usual course was not altered by the act of last Session. From the passing of the act to the end of August, 2,450,000 quarters were entered, of which nearly 2,000,000 came in during four consecutive weeks in August. The price of wheat was thus unduly enhanced in spring and as unnaturally depressed in autumn. These considerations were effecting a change in the opinions of the agriculturists. He had hardly conversed with a single intelligent farmer in his own neighbourhood who was not of opinion that a fixed duty would be better than the present law; and he believed that not only in the north of England but in Scotland the opinion was extending in favour of a reasonable moderate, and even a small fixed duty, as being best calculated to benefit agriculture no less than manufactures. He was not now going to argue further the question of fixed duty or sliding-scale; but if there were any one point on which an opinion was growing amongst all classes of the people, and on which a compromise might be effected, and a settlement made between opposing parties, it was on the principle of a fixed duty. He knew that extreme parties on both sides might be opposed to it, but amongst moderate men on both sides opinion was in its favour. He might refer to the declaration of the hon. Member for Nottingham who at one time had represented an agricultural county, and who now represented a commercial community, and who had stated, as the result of his experience and information—opportunities of obtaining which, perhaps, he had, which others did not possess—that the public opinion of this country was fast coming to such a compromise as that for the benefit of all parties. He believed that a fixed duty would be for the interest of both parties—that a steady price to one, and a certain trade to the other, were advantages which both sides were not induced to underrate. He had heard, therefore, with the deepest regret the declaration of the right hon. Gentleman, the only steady opinion he seemed to entertain on the Corn-laws, that he was opposed, as before, to a fixedduty; because he (Mr. Wood) believed on that principle the only possible compromise could be effected, and that the effect of his statement was to postpone anything like a settlement. The Government had completely shaken the ground on which the old Corn-law rested, and had left the corn trade in the state of uncertainty in which it was at present. The right hon. Gentleman had said, that the Corn-law of last year was the best that he could devise, but he made a similar declaration three years ago, with respect to the former law. He said he would not change it this year, but would pledge himself to no part of it; the Vice-President of the Board of Trade said, it was unsound in principle if now to be adopted for the first time; that its defence rested on its having existed so long, that this was a good temporary answer; and as to the time of change, he referred us to "the revolution of ages and circumstances," could anything be more vague or uncertain, and he (Mr. Wood) believed, that this state of things was calculated to prevent an outlay of capital on land, and interfered with any arrangements that might be entered into between landlords and tenants for the improvement of cultivation. He feared that the same evil effects of turning capital from the land would tend to turn labour out of employ, and the same misery would be produced as was exibited in the manufacturing districts. Nor was this uncertainty confined to the corn trade. In an article which was attributed to the right hon. Gentleman the Vice-President of the Board of Trade, and not denied by him, it was stated, that the same principles which were adopted in the tariff of last year must be applied to cheese, to butter, to sugar, and other articles as soon as the revenue would enable the Government to deal with them. The result of the delay in dealing with them as well as the corn question, was the present stagnation of trade, a strong proof of which was the state of the money market, when no one could find profitable means of embarking his capital, and when money could be procured almost for asking for it. Could it be for a moment doubted that this was a state of things most detrimental to the interests of the country? It was impossible that the country could be allowed to remain in its present state without incuring the greatest evils. He considered that it was the bounden duty of the Government to bring forward the only measures which even in their own opinion could tend to relieve the present distress. The object of his noble Friend's motion, then, being such as he had described, he trusted that the House, by the decision that it would come to on it, would compel the Government to proceed in that course which he believed was not only essentially necessary for the existence of our trade and manufactures, but even for the agricultural interest itself. They did too much last year to allow them now to stand still, and far too little to produce any extensive benefit to the country.

Sir *James Graham*: Sir, I listened with great pleasure and attention to the admirable speech addressed to the House by my hon. and learned Friend the Member for Winchester, and I was more particularly struck with the latter portion of it, in which my hon. and learned Friend appealed with earnestness to the opposite side of the House for a clear and distinct statement of what is the real object of the motion we are now discussing. When, therefore, the hon. Gentleman the Member for Halifax rose to address the House, I thought that if there was any Member in it, next to the noble Lord himself who introduced the motion, who was most certain to give a full and satisfactory explanation of its object, it was the hon. Gentleman the Member for Halifax. But though I have listened to the hon. Gentleman's speech with great attention, I remain still doubtful and perfectly unsatisfied with respect to the object which is really desired. I thought, when the noble Lord gave notice of his motion, considering that he has been long versed in public affairs, that he possesses an hereditary knowledge of the proceedings and usage of Parliament, more perhaps than any Gentleman whom I am now addressing,—when I recollected the noble Lord's experience and practice, and observed him with all the authority of his name and station, I thought I say, that the noble Lord intended, and it would have been a perfectly legitimate intention on his part, to make a direct attack on the existence of the Administration, and that it would be viewed as a great party motion. I still remain in some doubt, after the speech of the hon. Member for Halifax, whether my original conception was not accurate. I thought that the proposition of the noble Lord was equivalent to a motion on the state of the nation. But the hon. Member for Halifax says that the motion has no such object. Now what said the hon. Member for Greenock? He said he thought inquiry necessary; all idea of a party movement he disclaimed, and stated that if the motion was not to lead to an inquiry into the distress of the country, he would vote with my right hon. Friend at the head of the Government. I ask the hon. Member for Greenock, after having heard from the hon. Member for Halifax that this is not intended as a motion of enquiry, and that it would be an absurdity if it were—I ask the hon. Member for Greenock, always true to his word, whether he can hesitate as to the vote he should give. I see sitting next the hon. Member for Greenock, the hon. Member for Belfast, who addressed the House last night with so much abitity and self possession, and whom I congratulate sincerely on the talent he displayed in addressing the House for the first time—that hon. Member, unacquainted as he is with the atmosphere of this House, might believe by a stretch of credulity, that the noble Lord, one among the leaders of a great party, in bringing forward a motion for the purpose of inquiry, really did intend to inquire into something. The hon. Member has now heard it stated that no such intention is entertained; he probably was somewhat surprised by the frankness of that declaration; but still having ascertained that this is not a motion for inquiry, and all party objects being at the same time disclaimed, I hope the hon. Member will, together with the hon. Member for Greenock, give his support to the Government on the present occasion. I think the hon. Member for Belfast expressed great anxiety that the Government should proceed in the course which they entered upon last Session. I hope the hon. Member will allow me to ask him whether he does not think there is some little prudence in pausing? What would the hon. Member say if the Government, advancing in the course which they took last Session, in diminishing the duty on the importation of corn, should propose to allow the free importation of foreign oats into Ireland, and to extend either the Income-tax or the assessed taxes to that country? The hon. Member for Halifax, having stated that this is neither a motion for inquiry into distress, nor a motion on the state of the nation, hesitatingly described it as a motion intended to indicate something which the opposite side of the House wishes to be done. To prove that this motion has no party object, and that it only refers to the general distress, he likened it to a motion made by my right hon. Friend, the Paymaster of the Forces in 1830. Why, if ever there was a party motion made in this House, it was the motion brought forward by my right hon. Friend in 1830. I well remember it, and I rather think that I had the pleasure of voting on that occasion, with the noble Lord, the Member for Tiverton, in support of the motion. The avowed purpose of the motion was to upset the administration, which at the time ruled the destinies of the country. Mr. Brougham and Lord Althorp, and a portion of the opposition, clearly perceiving the nature of the motion, and that it involved the fate of the administration, and not being at that time disposed to overthrow the Government, voted against the motion, and I think the noble Lord, the Member for Sunderland, also voted against it. [Lord *Howick*: I voted for the motion.] I thought the noble Lord either voted against the motion, or abstained from voting at all; but, however, I am sure that I voted for it, and I am equally sure that the noble Lord, the Member for Tiverton, voted for it also in the spirit of opposition which I have stated. We did not then conceal our purpose, we stated frankly, and distinctly, what was our object; and, I say, with all possible respect, that a party so powerful as that I see opposite ought not, in the present state of the country,—in a moment of great excitement and distress—to bring forward a motion of this important description in such a manner—and with so much hesitation, that on the third night of its discussion, it is hardly clear what is the object of the dull debate, which

> " Drags its slow length along."

The doubt and uncertainty which prevails on this subject, ceases to be a matter of surprise, when we consider the different motives which influence hon. Gentlemen on the other side of the House, who from the various opinions they express, seem unable to make intelligible to the House and to the country, what, in this great juncture of affairs they really have in view. The hon. Member for Sheffield, in addressing the House, regretted the indefinite nature of the motion, and said, " I have mental reservations of my own, and it is only in that way that I can support the motion." I will now pass to some other observations which have fallen from the hon. Member for Halifax. I feel deeply the responsibility under which I address the House, and I should be much grieved, if inadvertently one word should fall from me that could exasperate the bitterness of feeling that not unnaturally exists among large classes of my fellow subjects, who have suffered deep distress for a great length of time. The hon. Member for Halifax has asserted in the first place that the distress is general. I conclude, that the hon. Member means to apply that observation to the manufacturing districts of the country. But, the hon. Member went on to say, that the distress was not only general but unexampled. Far be it from me, by any thing I may say, to lead the House or the country to believe that I have the least doubt that distress, severe, unmitigated, and of long duration, has afflicted a large portion of the manufacturing districts; but, at the same time, as was truly observed by the hon. Member for Sheffield, in a case of this description when we are deliberating on the substantial interests of a great community, exaggeration ought to be particularly avoided, and I do not think it desirable, that in the presence of the civilized world we, the representatives of Great Britain, should hold the language of despondency. I admit that a large falling off in the declared value of exports is a symptom, in a commercial country, that ought to command the anxious attention of Government; but, let us consider what is the falling off in the declared value of exports to which the hon. Member adverted in support of his statement, that the distress was unexampled. The right hon. Gentleman, the late Chancellor of the Exchequer, must bear in mind that, in the period of 1837-8, there was a great falling off in the declared value of exports; they fell from 46,000,000*l.* to 36,000,000*l.*, being a decrease of 10,000,000*l.* in one year, a larger defalcation than was ever known before or since in so short a period. But in the year immediately following, 1838-9, there was a rise of 7,000,000*l.* in the value of exports, almost equivalent to the previous falling off. In the present year the deficiency in the value of exports, compared with last year, amounts only to 4,000,000*l.* Not content with asserting that the existing distress is unexampled, the hon. Member for Halifax proceeded to state that, it has been marked by famine and by death in the most alarming and appalling degree. I will try the question of mortality. I happen to have before me an authentic document, namely, the quarterly table of mortality made up to the end of 1842, which affords me the means of instituting a comparison between the autumn quarter of the last year, and that of the average of the corresponding period in the four preceding years. It being admitted on all hands, that exaggeration on this subject ought to be avoided, I trust that, after the statement made by the hon. Member for Halifax, the House will allow me to read the comparison I have made of the mortality, at the different periods I have mentioned, in certain manufacturing towns. It appears that the number of deaths in Wolverhampton in the autumn of 1842 was 414, while the average number for the corresponding quarters of the four previous years was 515. The difference on a like comparison in the case of Blackburn was 359 to 474; Wigan 334 to 459; Ashton 1,066 to 1,124; Sheffield, which has been so much dwelt upon, 456 to 674; Huddersfield 444 to 516; in Leeds, another place spoken of as presenting an appalling picture of misery, the number of deaths was 982 last autumn, while the average of the four preceding autumns was 1,159. The contrast with regard to Hull was 257 to 326; Sunderland 293 to 381; Newcastle 392 to 516; Liverpool 1,724 to 2,022. But I will not trouble the House by going through all the other towns which I have on my list; I will state generally that there was as considerable a diminution in the mortality of other manufacturing places—Dudley, Birmingham, Stockport, Macclesfield, Preston, Sheffield, Rochdale, Bury, Salford, Bradford, York, Gateshead, Carlisle, and Kendall. In the metropolis the mortality of the autumn of 1842 was 11,631; and the average of the four previous autumns, 11,861; not, certainly, a very great difference. But what is more striking and more completely demonstrative that the hon. Gentleman is mistaken in his statements is, that the aggregate number of deaths in 114 districts was 39,368 last autumn, while the average mortality of the four antecedent autumns was 42,003. [An hon. *Member:* You forget that the population goes on increasing.] Of course it does; but that circumstance tells in favour of my argument; for I show that with an increase of population there has been an actual decrease of mortality. The hon. Member for Halifax informed the House that certain persons in the West Riding of Yorkshire had paid only 5*s.* in the pound on debts contracted within a short period. I do not dispute the fact; but my belief is, that among the many concurrent causes of our present difficulties, none has operated more fatally than the prevalence of an unsound system of credit combined with the stimulus given to the increase of the use of machinery,—not machinery created by capital, the product of industry, or the accumulation of past success in trade, but machinery springing up from advances on false credit imprudently and improvidently given to persons not entitled to it, who now are in the condition, stated by the hon. Member, of being unable, when they wind up their concerns, to pay more than 5*s.* in the pound. I have a statement here which perhaps the House will permit me to use for the purpose of illustrating this point. I know well that there is no part of the United Kingdom in which the derangement of the monetary affairs of America has produced such fatal effects as in Sheffield, and the other commercial towns connected with the hardware trade. Not only has the demand for the manufactured article been suddenly withdrawn; but the debts due on the account current have been repudiated, and dependence on the United States either for demand or for payment is now demonstrated at Sheffield to be a losing game. The House, perhaps, may do me the honour to remember that I laid before it, at an early period of last Session, the report of Mr. Horner, the inspector of factories in the cotton districts; I am about to present that gentleman's annual report, and I will read from it Mr. Horner's comparative view of the mills out of employ in 1841, contrasted with those out of employ in 1842, and also of the mills working short time in 1841, contrasted with those working short time at the close of 1842. In the year 1841 there were out of employ 138 mills in Mr. Horner's district, which comprehends the greater portion of Lancashire, and a portion of the West Riding of Yorkshire. Those 138 mills comprised a horse-power of 3,397, and were calculated to give employment to 16,774 persons. In the corresponding period of 1842 there were out of employ only 96 mills with a horse-power of 2,691, and requiring 12,064 person. Therefore in the year 1842, as compared with 1841, of those mills in employ there had been an increase of 42 mills, of nearly 1,000 horse-power, and giving employment to not fewer than 4,710 persons. The facts with regard to short time work were still more extraordinary. Towards the end of the year 1841 there were, in the same district, on short time, 139 mills of 5,801 horse-power, and giving partial employment to 27,764 persons. At the close of the year 1842 there were in that district only 61 mills on short time, having 2,609 horse-power, and employing but partially 11,469 persons. That was to say there were 78 mills, with horse power of 3,192, and giving employment to 16,295 persons, working full time in 1842, as contrasted with the 139 mills of the corresponding period of 1841. But this comparative view is not the whole of the case to which I wish to call the attention of the House. I said that the effect of fictitious credit has not yet died away. It is asserted on the other side that there is a decline in the demand for our staple manufacturing productions, and yet in the face of that decline there has been a decrease in the number of mills out of employment, and of mills working short time. I will now state a still more remarkable fact, namely, that in the course of the last twelve months, in the district to which I am referring, 47 new mills have come into operation, with a horse-power of 1,398, and giving employment to 3,524 persons. The general result of these various operations is, that in the year 1842, as compared with 1841, there has been a large increase of the power of machinery in the cotton district, a considerable addition to the number of hands employed; and no less than 47 "new concerns" with fresh capital applied to manufacture have been brought into active operation. The hon. Member for Greenock abstained from mentioning the case of Paisley, I have frequently admitted that there has been no exaggeration in the statements made by the hon. Member with respect to the distress existing at Paisley. That distress has been appalling and of long duration, and never until now have I ventured to express a hope that any abatement of the distress had begun to be felt. I think that on the present occasion, I am justified in the reading to the House part of a letter which I have this day received from the Sheriffs of the county of Renfrew, containing some information which is furnished by Mr. Campbell, the Sheriff depute in Paisley, who, I am sure, the hon. Member for Greenock will acknowledge to be a competent authority,

> "Employment continues to increase here, but very gradually, and the tranquillity of the town continues undisturbed. For each of the three weeks ending the 7th current the numbers upon our relief list stood at 9,678, 8,885, and 8,031, showing a decrease in each of 558, 793, and 854 persons."

This is satisfactory, as showing that in Paisley itself there is a more active demand for labour; but I derive additional gratification from perceiving the quarter from which the demand proceeds. The hon. Member for Greenock talked of Glasgow; now the latter goes on to say,

> "Our measures for procuring employment from Glasgow have done good; and I understand that all our first class weavers, or nearly all, are now engaged."

I have said on more occasions than one that the case of Paisley appeared to me almost desperate; but to-night, for the first time, upon grounds on which I can rely, I have the satisfaction of stating that

I see the glimmering of hope of improvement, even in that district. The hon. Member for Halifax, commenting on a declaration said to have been made on this side of the House, and using the customary language of Gentlemen on the opposite benches, said the time has arrived when it is necessary to do "something." The vagueness of that "something" is most perplexing. We are assured that this debate is not intended to be a struggle with respect to the Corn-laws; that is reserved for the motion of the hon. Member for Wolverhampton, who, to give effect to the consistent opinion which he has always frankly avowed, means to propose the total and immediate abolition of the protecting duty. The hon. Member for Wolverhampton has, however, been warned from the benches immediately below him, that to his motion he must not look for support from that quarter. A fixed duty has again been talked of, but the hon. Member for Halifax appears, I think, to have united the principle of the sliding-scale in a mysterious manner with the fixed duty, for he began with a moderate fixed duty, and then went on to a small fixed duty. ["No, no, reasonable."] I find I was about to destroy the climax. The hon. Member began with a "moderate" fixed duty; he went on to a "reasonable" fixed duty, and slided down at last to a "small" fixed duty. [Mr. *C. Wood:* You have not correctly stated what I said.] I should be sorry to enter into a dispute with the hon. Member if he disclaims the words I attributed to him; but really I never felt more certain of any thing in my life than that the hon. Member declared, that for a moderate, reasonable, and small fixed duty, he was prepared to vote. [Mr. *C. Wood*: "No, no."] Well, I will not dispute the point. It is clear, however, that even with respect to a moderate, reasonable, or small fixed duty, the hon. Gentleman has not made up his mind. Even to that extent the leaders of the party opposite are not prepared to pledge themselves. The hon. Member for Halifax said, that the tariff passed last Session is a most inadequate measure. That has been the language of several Members on the opposite side of the House, and, indeed, I think the hon. Member for Sheffield spoke of it as a miserable pittance of commercial reform. I am bound to say, however, that other Members on the opposite benches have formed a more fair estimate of the real merits of that measure, and have done my right hon. Friend greater justice with respect to it. They have said that it is not only a step in the right direction, but a larger and important one, and necessarily leading to great results. I may be wrong, but I very much doubt whether any example can be found in the commercial history of this or any other country of so great a change being made in an entire tariff in so short a time. By the measure which some hon. Members attempt to depreciate prohibitory duties, with hardly a single exception, were abolished and swept away. Then with respect to raw produce; the duties upon articles of raw produce, speaking generally, were reduced to 5 per cent. The duty on half manufactured articles was reduced to a maximum of 10 per cent., and that on manufactured articles to a maximum varying from 15 to 20 per cent. The colonial system also, underwent a material alteration, and foreign products can now be imported from the colonies at a duty varying from 4 to 7 per cent, and, in addition, the export duties were abolished upon all articles; even machinery is now allowed to be exported duty free. [Lord *Howick:* Not upon coal.] I see that the coal duty is still rankling in the mind of the noble Lord. The duty on coal was retained for purely fiscal reasons, and my right hon. Friend, the Vice-President of the Board of Trade, has demonstrated that the measure has been attended with complete success, as a measure of finance, without at all injuriously affecting the export of coal. The debate in the hands of hon. Gentlemen opposite naturally glides into the favourite budget of 1841, and the hon. Gentleman, the Member for Halifax referred to the timber duties, and took up the argument urged by the right hon. Member for Taunton on a former night. The right hon. Member for Taunton attempted to establish something like inconsistency on our part, with respect to the timber duties, and, in the distress of his case, being somewhat pressed by the observations of the hon. Member for Dumfries, he said, "Let the late Government be tried both by its language and conduct during the time it held office." As to language, I know not to what the right hon. Gentleman particularly referred, except he wished those hon. Members opposite who call for the total repeal of the

Corn-laws to remember the declaration of Lord Melbourne, that of all the conceptions that could enter into the mind of man, in his opinion the most mad was that of the total repeal of the Corn-laws. Or did the right hon. Gentleman refer to the amicable explanation which we are to expect between the noble Lord, the Member for London, and the hon. Member for Stockport, who charged the noble Lord with being a monopolist because he refused to assent to the repeal of the Corn-laws? Upon this point, by-the-bye, we may infer, that both the noble Member for London and Lord Melbourne steadily adhere to the opinions they have expressed, that a repeal of the Corn-laws is a proposition which is inadmissible, inasmuch as they have within the last six weeks expressed in writing their disapprobation of the object of the Anti-Corn-law League. So much with respect to language, but now as regards acts. The right hon. Gentleman was a Member of an administration which held power for nearly eleven years, and instead of referring to any acts which could prove their readiness to give effect to the principles of free-trade, he had recourse to the threadbare topic of the timber duties. He attempted to establish the proposition, that the failure of a former Government's measure relative to the timber duties, was the result of a combination of Gentlemen who now sit on this side of the House. The right hon. Gentleman must allow me to recall to his recollection what was the proposal of Lord Althorpe relative to the timber duties. Lord Althorpe's first proposition with respect to the timber duties in 1831 was not in favour of the consumer, but for the purpose of raising a larger revenue; his Lordship proposed to augment the duty on colonial timber from, I think, 10*s*. to 20*s*. a load, and to make a small reduction—namely, from 55*s*. to 50*s*. on Baltic timber. That proposition underwent discussion; no division whatever took place on it, but the Government of Earl Grey felt the proposition to be so utterly untenable, that they voluntarily abandoned it, and a proposition was subsequently brought forward, of a character more resembling that which the present Government has introduced. This second proposition included no increase of duty on colonial timber, but it proposed no reduction of this duty, and in other respects it did not go the length of the measure which it has been the good fortune of the present Government to carry through the House. With reference to this point, I may, perhaps, be allowed to offer some explanation of what fell from my right hon. Friend, the Vice-President of the Board of Trade, which has been misunderstood by the hon. Member for Halifax. The hon. Member said, that my right hon. Friend had declared, that the effect of the measure adopted by Parliament last Session, with respect to the timber duties, had been to increase the price of the article to the consumer. No misapprehension could be more gross. At the time we introduced the measure, the importation of timber was ruinous to the importer; the trade was in a declining condition and must have fallen. The effect of the measure passed last Session has been to restore a profit to the British shipowner who is the importer of timber, and so far from the measure having been of no advantage to the consumer, the price of timber has fallen somewhere between 1*d*. and ½*d*. a foot. Thus there has been a restoration of trade, and the benefit has been shared between the importer and the consumer. The hon. Member for Halifax glanced at the sugar duties. It is not my wish to go over ground which has been so often trodden and to so little purpose, but I put it to the House—considering all that has occurred with respect to Portugal relative to the slave-trade—the strong measures adopted by the noble Lord, the late Secretary for Foreign Affairs, hostile measures in time of peace, and the present state of our negotiations with France—if we had opened our trade with Brazil without making some stipulations on the subject of slavery, what would have been the opinion of the whole civilised world with respect to the sincerity of our motives. Would it not be said that whilst we professed a desire to put down the slave-trade we were really actuated by a desire to promote our own interests, and no one would have given us credit for sincere zeal in support of those principles which we had adopted in theory but violated in practice. But even as regards the interest of the consumer it is a fact that at the present moment, contrasted with the time when the budget of the late Government was brought forward, the retail price of sugar has fallen ½*d*. per lb., whilst the stock on hand is increasing, and equals or more than equals the demand. I am very unwilling to trespass unnecessarily on the time of the House, but, although several Gentlemen on the opposite Benches have disclaimed any desire to enter on the subject of the present Corn-law on this occasion, I think I should not discharge my duty if I did not allude to that topic. I heard with great satisfaction the speech of the hon. Member for the county of Durham. We are accustomed to hear all sorts of crimination and recrimination on the subject of free-trade principles—we vainly dispute who are the authors of them, who sustain them, and who desert them. I must say, after all, that these principles themselves are not much contested in this House. They are the principles of common sense and I do not think that in a deliberative assembly the great outline of those principles can be disputed. The time has long gone by when this country can exist as a purely agricultural country. We are a commercial people and while this country remains as she is, the mistress of the seas, she must be the emporium of the commerce of the world. I am quite satisfied that in England agricultural prosperity independent of commercial prosperity cannot long exist. I go further, and I agree with the hon. Member opposite, that with a population increasing so rapidly as does the population of this country—somewhere about 220,000 souls a-year—it is indispensably necessary that extension should be given to the field of commerce, and it appears to me that no party is more deeply interested in this than the landed interest. The tendency of population is always to press on the means of subsistence. The increased population must be fed. To be fed, it must be employed. It can only be employed by the payment of wages. Wages can only be paid out of profits, and profits depend on an effective demand for the products of labour. [An hon. *Member* on the opposition Benches: Those are my principles.] The hon. Member says they are his principles; they are the principles of every man of common sense. I was not sorry to hear the speech of the noble Lord, the Member for Lincolnshire, who addressed the House last night with the sincerity and frankness which are characteristic of perfect integrity and high honour, and who stated distinctly that whether, owing to the diminished protection accorded to the agricultural interest last year, accompanied by the panic which the measures then adopted created, or whether, owing to the diminished export of the products of manufacturing industry, and the consequent distress and diminished demand for farm produce in the manufacturing districts, distress was not confined merely to Lancashire and Yorkshire, but was approaching the purlieus of agriculture itself. The noble Lord stated, that wages are beginning to fall in the county of Lincoln,—that there is an abatement of the desire to improve land by draining, and that in fact, permanent improvements are suspended. These are the facts which were frankly stated by a competent authority, and the practical lesson to be drawn from them is, that we ought to exercise the utmost caution in our further progress in the course on which we have entered. Some hon. Members opposite, I perceive, scorn and despise the word caution, and those who look only to first principles are very apt to recommend hasty and sudden proceedings, totally regardless of the consequences which may flow from them. Those persons may be perfectly honest and upright in their views, but nevertheless I think we ought to take the utmost care in dealing with an interest which has been so long protected, and to so great an extent as the landed interest, lest by any sudden change we involve the immense population, connected with agriculture, in ruin, an event more fatal and disastrous than the temporary evils which now prevail in the manufacturing districts. Believe me, that in tampering with the landed interest, should you make a false step by introducing any sudden change, and thereby spread distress amongst the labouring classes connected with the cultivation of the soil, there would be superadded to the distress in the manufacturing districts a general and overwhelming mass of misfortune, poverty and want, and the doom of the country would be sealed. I am anxious in a matter of this importance, that what I wish to state should be accurately and precisely conveyed to the House, and therefore with its permission I will read a short passage which embodies my opinions on this point more clearly than I could hope to express them; but first I must say, that it is contrary to my judgment to set up the home market as against the foreign; or to say, that manufacturers should be discouraged from the fear that the predominance of the landed interest might be supplanted. If we are to draw nice distinctions between manufactures and agriculture, I might quote many high authorities to show that a preference should be given to the latter. Burke, for instance, maintained—"that on the prosperity of the land, the prosperity of the nation must depend, and that the improvement of the soil was the perennial source of national wealth and independence." I might quote, also, the opinion of that most profound of all philosophers of modern times—I mean Dr. Adam Smith. As the passage to which I refer is not a long one, perhaps the House will allow me to read it.—

"The capital employed in agriculture not only puts into motion a greater quantity of productive labour than any equal capital employed in manufactures, but that in proportion to the quantity of productive labour which it employed, it added a much greater value to the annual produce of the land and labour of the country, to the real wealth and revenue of its inhabitants. Of all the ways," he says, "in which a capital can be employed it is by far the most advantageous to society."

I cannot be sure, so rapid is the advance of knowledge in these modern times, whether the opinions of Dr. Adam Smith may not already be called antiquated. [Mr. *Wallace*: They are antiquated.] So, then, the authority of Adam Smith is already set at nought by hon. Members on the other side, and his opinions are described as being antiquated by the hon. Member for Grenock! The authority I am now about to cite is, however, by no means antiquated; it is new, and therefore it will command the respect of the hon. Member for Greenock, to a greater degree than that of Adam Smith. The author I am about to quote is a keen advocate for the total repeal of the Corn-laws, and so far from his opinions being out of date, the pamphlet from which I am about to read an extract has been printed since the commencement of the present year—indeed within the last fortnight—and is addressed to my right hon. Friend at the head of the Government. Colonel Torrens, the author of this pamphlet, has written the following passage, which conveys my opinion most succinctly and clearly:—

"In years of average abundance the united kingdom produces a quantity of corn nearly sufficient for home consumption. In such years the importation of a large quantity of foreign produce would displace a large quantity of domestic produce. What would now become of the agricultural labourers, by whom the displaced domestic produce had been raised? It is self-evident, that the measure which is necessary, in order to relieve the town population from intolerable pressure would throw masses of the rural population upon the parishes for support. Many of the advocates of a total repeal of the Corn-laws argue as if the population of the manufacturing districts constituted the entire population of the kingdom. They view this important question on one side only. They state the truth, but not the whole truth . . . . . But they close their understanding against the equally indisputable facts, that the immediate effect of free-trade would be to create agricultural distress; and that displacing in the home market home-grown corn by foreign corn would have, in the first instance, the same effect with regard to throwing the agricultural population out of employment, which displacing in the foreign market British goods by foreign goods would have in throwing the manufacturing population out of employment. They fail to see that the country labours under complicated disease, and that the remedy which might alleviate one set of symptoms would aggravate another."

I hold this to be most accurately stated and it proves the necessity of the caution which I wish to be observed in dealing with an interest of such vast importance as agriculture. We dealt with the Corn-laws in a decisive manner last Session. Hon. Members opposite have endeavoured to show that the change we made is unimportant, but I contend that our measure has not yet been tested. This, however, we do know, that so far from the ports remaining closed until the price reached the maximum of 73*s*., nearly 1,500,000 quarters of wheat have been admitted when the price was 65*s*. on paying a duty of 8*s*. The hon. Member for Halifax says it is a great disadvantage of the Corn-laws that under it speculators in corn are induced to hold back the supplies until August or September, and then to flood the market. Now, I am satisfied that under no law which could be framed, would you ever be able to prevent speculators from holding back corn till the result of the native harvest should be ascertained. The circumstance complained of arises from no defect in the Corn-laws, but is the natural consequence of the variations in the climates and seasons of different countries, and of the spirit of speculation which ever awaits on a rising market. I have already said, that it appears to me needless to dispute on which side of the House liberal principles of commercial policy most prevail. I repeat that the principles themselves are the principles of common-sense, and are generally admitted; but I conceive it to be the great duty of a Statesman to apply general principles to particular circumstances and the particular circumstances of this country require, in my humble opinion, that an object of great difficulty, but one capable of attainment, should be aimed at, namely, that there should be the greatest possible facilities given for the export of British commodities to foreign markets consistent with the least possible derangement of native industry. I perceive, I think, that the hon. Member for Manchester assents to what I say. [Mr. *M. Gibson*: No.] Then the hon. Member would proceed, reckless of consequences, to derange every thing. I tell the hon. Member that in my judgment no more fatal error could be committed as regards the real interests of the great commuuity which he represents than a sudden derangement of the home market. I have cited the opinion of Colonel Torrens, but I have one authority more which I think hon. Members opposite will not be inclined to dispute. It is the authority of the great apostle of free-trade—the Coryphœus of modern philosophers—a gentleman who enjoys a European reputation and has lately been admitted a member of the French Institute. Will the House permit me, just to read what Mr. M'Culloch says, on the very point to which I am referring, in the last edition of his work on political economy. [Mr. *M. Gibson*: Take the first edition.] Antiquated notion! No, you shall have Mr. M'Culloch's new light as it shines forth in his last work, which being modern philosophy, is that you like the best.

"A population dependent, in so great a degree as that of Great Britain, on the wages of manufacturing labour, is especially liable to be seriously influenced, and to have its interests deeply compromised, not merely by the occurrence of scarcities and pecuniary derangements at home, but also by whatever may affect the sale of its products in those foreign countries to which they are largely exported. It is not to be denied that a large population so situated is in a very perilous position. And yet, critical as is the present condition of society from the vast increase of manufacturing labourers, it would really seem as if we had done little more than enter on this new and hazardous career. At present, notwithstanding the vicissitudes and revulsions that occasionally recur, manufuctures are extending themselves on all sides, and it may be estimated that an addition of above 220,000 individuals is annually made to the population of Great Britain. Perhaps it may, in the end, be found that it was unwise to allow the manufacturing system to gain so great an ascendancy as it has done in this country, and that measures should have been early adopted to check and moderate its growth."

Those are Mr. M'Culloch's opinions; now in what follows I cordially concur.

"At present, however, nothing of this sort can be thought of. Whether for good or for evil, we are now too far advanced to think of retreating. But if we be right in the previous statements, it will appear that the beneficial influence of manufactures depends in a great degree on their being subordinate, in point of extent, to agriculture and other more stable businesses; and there is much reason to fear that their influence is of a decidedly less salutary description when they constitute the paramount interest."

These opinions should induce us to observe great caution, and not to proceed in that rapid manner which hon. Gentlemen opposite recommend. I, for one, am clearly of opinion that any great and sudden change in the domestic economy of this country cannot be consistent with the permanent prosperity and happiness of the people. My ideas on the point cannot be better conveyed than in a couplet which, if I mistake not, proceeds from the pen of Dryden,

"The tampering world is subject to this curse,
They physic their disease into a worse."

The right hon. Member for Taunton told us, that when a ship was in danger, there could be no objection to a chance passenger taking the helm. But, the right hon. Gentleman forgot that it is necessary previously to dispossess the pilot of the rudder. My right hon. Friend at the head of the Government says, that he is not prepared to abandon the helm. He admits the danger—he sees the louring clouds on every side, but he is prepared steadily to adhere to his course, and he feels confident, that by so doing, he will bring the ship into safety. The chance passenger wishes to possess himself of the helm, but let him first frankly avow his purpose. Let him tell us by what chart he will steer. Why do not the right hon. Gentlemen take a step which will render apparent whether this their own House of Commons—chosen under their own auspices, is prepared to revoke the decision to which it came fifteen months ago, and to say that my right hon. Friend is no longer worthy of its confidence, and that they are the ministers to be trusted? That would be an intelligible proposition, and a perfectly Parliamentary course. But, if you will not avow that purpose, let me entreat you not to urge the adoption of a motion which, I hope I may say it without offence, is a stroke of your own policy, which was remarkable for its readiness to disturb every thing, and for its impotency to settle or establish any thing. If the House has no confidence in the Government, let it pronounce that opinion. But I believe the House and the country are disposed to take into consideration the difficulties and embarrassments which we have had to encounter since we have been in office, and they will give us credit for what we have done, in circumstances so difficult and so dangerous. It must be admitted that the distresses of the country would have been much aggravated if the price of the necessaries of life had not decreased. I do not claim for the Government credit for the full extent of the reduction: I believe that the bounty of Providence, exhibited in an abundant harvest, after four deficient ones, has done more than all the skill of man could ever have effected. I must, however, say, that the abolition of prohibitory duties on provisions and articles of the first necessity, though it may not immediately have reduced prices, yet has indirectly imposed a salutary check on the rise of prices to an extent which might have been most prejudicial to the consumer. In China we have brought a war which I thought unfortunate in its commencement and dangerous if protracted, to an honourable close. In India we have retrieved great disasters. In Canada we have confirmed the union, and have given contentment to the two provinces, and we have established a Government which enjoys the confidence of a united people. With the United States of America we have made a treaty which has far advanced the settlement of differences which had endangered the peace of two great communities in whose continued amity are involved the best interests of civilization and mankind. In France we have succeeded in soothing the acerbity of feeling which the sudden rupture of friendly relations with that country had unhappily occasioned. And upon the whole I feel perfectly confident that unless we have forfeited the opinion of this House by some act of which I am not conscious, this doubtful motion whic is unworthy of the character and station of him who brought it forward, will be marked with the disapprobation of the House by a decisive and commanding majority.

Mr. *Wallace* said, that the right hon. Gentleman who had just sat down had, doubtless, from his being misunderstood, misrepresented his words. He had distinctly stated, that if the Government would give him an assurance that they would institute an inquiry, he would vote against the motion of the noble Lord. As they had given him no such assurance he should certainly vote for it.

Debate adjourned.

House adjourned at ten minutes to twelve o'clock.

HOUSE OF LORDS,

Thursday, February 16, 1843.

MINUTES.] NEW PEERS SWORN.—Lord Teynham sat first in Parliament after the death of his brother; Valentine Earl of Kenmare, Created.

BILLS. *Public.*—1ª· Peers Oaths and Declarations.

PETITIONS PRESENTED. By the Lord Chancellor, from Cambridge University, against the Union of the Sees of Bangor and St. Asaph.—By Lord Monteagle, from Bath, for the Total and Immediate Repeal of the Corn and Provision Laws.—From Thomas Arnold, and Robert Henning Parr, of Poole, for the Attendance of the proper Officer of this House at a Trial about to take place at the ensuing Assizes at Dorset.—By Lord Beaumont, from Andrew Macartney, for an Alteration of the Law regarding the Spiritual Instruction of Roman Catholics in Workhouses.

SWEARING IN OF PEERS.] Lord *Campbell* laid a bill on the Table of the House, the object of which was, that the time for swearing in Peers as Members of the House should be extended. He did not expect that any opposition would be given to the bill, though it went to alter on a particular point the proceedings of that House. At present Peers who were to be sworn in must take the oaths before four o'clock. The consequence was, that if an argument on an appeal case were going on when a Peer came up to be sworn, counsel was interrupted—his address, and the legal proceedings of the House, were terminated for the day. He proposed that in future the oaths might be taken at any time between nine o'clock in the morning and five o clock in the afternoon. He did not intend that the bill should refer to the other House of Parliament, because the reason which induced him to introduce it with regard to the House of Lords, namely, that their Lordships were sitting in the day time as a Court of Judicature, did not apply to the other House.

Bill read a first time.

THE RIGHT OF SEARCH.] Lord *Brougham* said, he was anxious to state what the fact really was with respect to the American negotiations upon the Right of Search, because the matter still appeared to be misunderstood on the other side of the Channel. Those who at first argued that France ought to resist all right of search, because America would not endure it, now said that England refused to ratify the American treaty because America made an alteration in it, by which America was exempted from its operation. Now, the only alteration made in the treaty was one which exempted the American coast from the right of search, in the same way that the coast of England, Scotland, and Ireland were exempted, observing, because no slave-trading existed there; but American vessels were to be searched, and America herself proposed that they should be searched in Africa, the West Indies, and every where except the few degrees of the coast of North America. Nothing, therefore, could be more preposterous than the allegation now made as to the reason why England refused to ratify the treaty. Whilst upon the subject, he would take that opportunity of stating that he was wrong in saying, on a previous evening, that the American Senate joined in the preliminary proceedings on which the American proposition of the right of search was founded. It was, however, only by accident that the Senate did not join in those proceedings; but the proposition was founded upon a vote, an almost unanimous vote of the House of Representatives, the representatives of the American people. He was sorry to find that in consequence of a mistranslation of what had fallen from him, he had given some offence in France. He had been represented to have said, that not above a million of people in France were the friends of the slave-trade; what he really did say was, that not one person in a million in France was friendly to that execrable traffic.

The *Lord Chancellor:* It must be a mistranslation, because it makes you speak nonsense.

Lord *Brougham:* It is perfectly unintelligible as given.

AFFGHANISTAN.] The Marquess of *Lansdowne* wished to know whether the noble Duke opposite intended to submit his motion relative to the military operations in Affghanistan, on Monday next, in the same terms in which he had originally given notice of it for to-day. If, however, the noble Duke intended to vary the terms of the motion, he was sure the noble Duke would see the necessity of giving notice of it.

The Duke of *Wellington* said, the motion would not be precisely in the terms of the notice as it stood on the paper. He would endeavour to lay a copy of the motion before the House to-morrow.

The Marquess of *Lansdowne* said, the course proposed to be taken by the noble Duke was perfectly satisfactory. It was important that their Lordships should have an opportunity of considering the precise terms of the motion before it was brought forward.

The Duke of *Wellington* repeated, that he would, if possible, give notice of the precise terms of the motion to-morrow.

The Marquess of *Lansdowne* said, that as this was the first day on which the House had met since the papers relative to the operations in Affghanistan had been presented, it might be convenient to take that opportunity of calling the attention of the noble Duke to what appeared to be either an omission or an accident, in consequence of which two or three material documents had not been produced. The information contained in the papers was certainly most ample, but if any of their Lordships had already had time to look at the volume, they would perceive that two or three documents were referred to, which were not included amongst the papers. One of these documents was obviously most important. In May, 1842, very peremptory directions were issued by the Governor-general to General Pollock, desiring the latter immediately to commence a retreat. It appeared that General Pollock did not obey these directions; and in the papers before the House reference is made to a letter written by General Pollock, and dated the 13th of May, as explaining the grounds on which he acted. He had looked carefully through the papers for that letter of the 13th of May, but it was not to be found. That letter could not fail to be of importance in considering the subject. Again, at a subsequent period, reference was made to a letter which might or might not be of importance, but which certainly might be expected to be produced, namely, a letter written by Mr. Clarke, the political agent, dated the 5th of May, and with respect to which the Governor-general himself makes the observation, that on perusing the letter it appeared to him that Mr. Clarke was in possession of the views of General Pollock. That letter also was not to be found amongst the papers. Here were two letters which were directly referred to which were not produced; but, beyond that, it appeared that very peremptory orders were issued to General Nott directing him to evacuate Candahar, and General Nott took upon himself not to execute those orders. It would, indeed, be extraordinary if General Nott took on himself to depart from the instructions he received, without stating to the Governor-general the grounds on which he acted, and yet in the papers presented to the House there was no communication from General Nott to the Governor-general in any degree explanatory of this point. He had felt it his duty to take the earliest opportunity, after perceiving the absence of the documents he had referred to, to call the attention of the noble Duke to the subject, and to ask whether those documents existed in the public offices, and, if so, whether there would be any objection to produce them to complete the chain of evidence?

The Duke of *Wellington* was understood to say, that he would make inquiry on the subject, and give an answer to-morrow.

The Marquess of *Clanricarde* hoped the noble Duke would have no objection to lay before the House copies of the famous proclamations. He was not going to argue whether they were connected with the subject or not, but as he believed they had been presented to the House of Commons, and were, besides, papers so notorious, he thought their Lordships ought to be in possession of them.

Subject at an end.

Their Lordships adjourned.

HOUSE OF COMMONS,

Thursday, February 16, 1842.

MINUTES.] BILLS. *Public.—Leave.*—1°· Coroner's Inquests.

2°· Transported Convicts.

Private.—1°· Lancaster and Preston Junction Railway; Cambrian Iron and Spelter Company; London Cemetery Company; Littleton Inclosure.

PETITIONS PRESENTED. By Lord Duncan, from Bath, for a Total Repeal of the Corn-laws.—By Mr. A. S. O'Brien, from Rothwell, and by an hon. Member, from Guildford, for the Repeal of so much of 7 Will. 4th, c. 77, as relates to the Union of the Sees of St. Asaph and Bangor.

TRUCK SHOPS.] Dr. *Bowring* said, that with the permission of the House, he would put a question to the hon. Member for Knaresborough. He understood that hon. Members had written to an individual in Glamorganshire, urging him to get up two petitions against the truck system, and urging him to obtain information whether a Member of the House of Commons was not, at present, sharing in the profits of the truck shop, in connection with some iron works in that county. He understood that he was the Member referred to, and he was, therefore, desirous of asking the hon. Member for Knaresborough whether the accounts that had reached him were true?

Mr. *Ferrand* said, that a few days ago, he had received a letter from a gentleman residing near the iron works alluded to, who stated that the truck system was carried on there in the same cruel and oppressive way as last year, and inquired whether he had not a right to make the matter a subject of a petition to Parliament. He said, that Dr. Bowring, a Member of the House of Commons, was one of those who were profiting by the system. He (Mr. Ferrand) had written in reply to the Gentleman in question, that he would have a perfect right to petition Parliament on the subject, if he could show that a Member was profiting by a truck shop.

Dr. *Bowring* said, the hon. Member had been quite misinformed. The payments at the works in question were all made in the shape of checks on a banker. There was formerly a shop connected with the works, and he believed the shop had been a great blessing to the people employed; but immediately he became connected with the establishment, he directed that the shop should be done away with, that the law might not be evaded either directly or indirectly.

MANUFACTURING DISTRICTS—NEW MILLS — MR. HORNER'S REPORT.] Mr. *Milner Gibson* seeing the Secretary of State for the Home Department in his place, was desirous to obtain from him some explanation of a statement made by him last night. The right hon.

Gentleman had referred to the factory report of Mr. Horner for 1842, and had stated, that during the year, forty-nine new mills had been built and brought into operation in that gentleman's district. What he wanted was an explanation of the term "new mills." Did the right hon. Gentleman mean to say that forty-nine new mills had been added to those previously existing.

Sir *James Graham* said, although the hon. Gentleman had given him no notice of the question, he was prepared to answer it. He had used the precise expression contained in Mr. Horner's report, which referred to mills that had been out of employ, or working short time.

Mr. *Milner Gibson* was not satisfied with the explanation. It was sometimes necessary that an explanation should be explained. Was he to understand under the expression "new mills" new constructions, or was he merely to understand concerns that had changed hands? If a man sold his mill, and a new tenant came into possession, was that mill a new mill?

Sir *James Graham* certainly thought that a new mill generally meant a new construction, but the expression as used by Mr. Horner, appeared to include mills that had formerly been out of employment.

Mr. *Milner Gibson :* If in consequence of a bankruptcy a mill were sold, and passed into the hands of a new person, would the right hon. Baronet call that new person a new mill?

Sir *James Graham :* I can answer this question with greater ease than any of the preceding ones. I should certainly not call a person entering on a new concern a new mill.

Mr. *G. W. Wood* begged to ask the right hon. Baronet whether the report of Mr. Horner would be laid before the House before the close of the present debate, on the motion of the noble Lord the Member for Sunderland?

Sir *James Graham* had hoped the debate would have closed this evening; but if it was to be continued in the spirit in which it had hitherto proceeded, it might be carried over to the end of next week. In that case, he could promise the House they should be in possession of Mr. Horner's report before the close of the debate.

BRITISH AND FRENCH FISHERIES.] Captain *Pechell* rose to put the question of which he had given notice. He was desirous of obtaining from the right hon. Baronet opposite some information as to the proceedings of the commissions appointed under the late convention for regulating the fisheries of the coasts of Great Britain and France.

Sir *Robert Peel* trusted that the hon. and gallant Member would not hold him responsible for all the delays that had taken place in these matters. Where there were two parties to a negotiation, a settlement could not take place without the consent of both. He had before given the hon. and gallant Officer all the information he possessed at the time. He had now every reason to hope that the fisheries regulations were adjusted, as far as the commissions were concerned, and that the draft of the treaty was in that state that it would shortly be submitted for the approbation of the Governments, and, of course, he had a confident hope that these regulations would very shortly be submitted for approval to the two Governments. When they had been approved of it was highly probable that an act of Parliament would be necessary. On that point he reserved himself for the present; but if an act of Parliament should not be necessary, the regulations themselves would be laid before the House with the least possible delay.

CANADIAN CORN.] Mr. *Labouchere* wished to put a question to the noble Lord the Secretary for the Colonies—namely, whether it were the intention of her Majesty's Government, to propose to the House to alter the duty now levied on corn imported from Canada into this country, during the present Session of Parliament? Under ordinary circumstances he should not think himself justified in putting that question, nor would he require the noble Lord to give any answer to it; but, as the noble Lord must be aware that the despatch which had been sent out to the Legislature of Canada, and the acts of that Legislature founded upon that despatch, had raised expectations that it was the intention of her Majesty's Government to make some speedy alterations in this matter, a state of suspense was created in the Canadian trade, which produced considerable difficulties and embarassments. The noble Lord, he perceived, smiled at the statement, but he could assure the noble Lord that he was not making the statement lightly, or without the best information in support of what he said.

Lord *Stanley* could assure the right hon. Gentleman, that the smile to which he had adverted was caused, not by what the right hon. Gentleman stated, but by the length into which the right hon. Gentleman thought it necessary to enter in putting a question on this subject. He was ready to give the answer required. The only reason why he had abstained from entering into any detail on this subject on a former occasion was, because he conceived the papers in the hands of hon. Gentlemen furnished the best answer. But if the right hon. Gentleman asked for a distinct statement of the intentions and views of her Majesty's Government on the subject, perhaps the right hon. Gentleman would allow him to answer the question at as much length as that at which the question had been put. He might remind the House, that as the law now stood, the produce of the United States was exported into Canada free of duty, and there converted into flour, and that it had been imported for many years into this country as colonial produce, and at colonial duties. The effect of that was, that this American or foreign corn was imported in its most convenient form, namely, that of flour, at a maximum duty of 5*s*., and a minimum of 6*d*. In course of the discussion last year, the hon. Gentleman the Member for Limerick, had urged her Majesty's Government to do that which had been urged repeatedly upon them by the colonial Government—namely, to admit colonial wheat and flour into this country at a nominal duty, or without duty at all. He had then answered the hon. Gentleman precisely in the same spirit and on the same grounds as those on which the Government had written to the Governor-general of Canada in the commencement of March. That answer was to this effect. Inasmuch as a great proportion of the corn introduced into this country as Canadian produce, would only have passed through Canada, and would, in fact, not be Canadian but American produce, her Majesty's Government saw some difficulty in the proposed plan. He had no hesitation in saying that the despatch which he, in concurrence with his Colleagues, had sent out to the Governor-general of Canada, bore upon it that fair, natural, and legitimate inference which the Legislature of Canada had put upon it—namely, that if an equivalent duty was put on the importation of corn from America to Canada, every disposition would be shown to allow *bonâ fide* Canadian corn to be imported into England at a nominal duty. The Legislature of Canada, acting upon that, had passed an act imposing such a duty; he had received a despatch conveying that information in the month of December last from the Governor-general, with an intimation that the next mail would bring out the full information which the Governor-general was anxious her Majesty's Government should have upon the subject. The next mail arrived in January, and brought no such information; upon which he thought it his duty to impress upon the Governor-general the necessity of furnishing the Government with the necessary information of the course adopted either by the Colonial Legislature or the executive council. At the same time he had thought it his duty to call the Governor-general's attention to a particular clause in the act relative to flour or grain imported for the use of the fisheries, which he thought calculated to facilitate fraud. He trusted he should soon be in possession of all the information he required. Upon that information being received, and upon the Government being satisfied that sufficient protection was afforded against fraud and collusion, would depend the course her Majesty's Government would adopt. With respect to the Colonial Legislature, he had no hesitation in saying that, in passing that act, they had put the construction upon the despatch of the 2d of March which it was intended by the Government they should put upon it.

SHIPWRECKS.] Mr. *G. Palmer* moved for a select committee, to inquire into the shipwreck of British vessels, and the means of preserving the lives and property of shipwrecked persons. He made the motion with the concurrence of the right hon. Baronet at the head of her Majesty's Government.

Mr. *T. Duncombe* begged to ask if any inquiry had been instituted into the circumstances attending the loss of the two transport ships, Abercrombie Robinson and Waterloo, in Table Bay, at the Cape of Good Hope, during the last year. One of these was a convict ship, the whole of the crew of which, as well as the soldiers and convicts, had been lost. He understood it had been condemned as unfit to go to sea, and too old for the timber trade; yet parties had been found to enter into a contract for the conveyance of convicts to Van Dieman's land in that ship.

Captain *Gordon* believed that certain inquiries had been made regarding the melancholy occurrence to which the hon. Gentleman referred. The convict ship alluded to stood on Lloyd's list in the first class. On the occasion in question, both ships had driven from their anchors, and been blown on shore in a heavy gale of wind. One ship went to pieces in a very short time, while the other certainly held together for a considerably longer time. One went on shore at the top of high water, the other at low water; one end on, the other broadside on. These were very important points of difference; and though both ships had been equally sea-worthy, one of them would have gone to pieces much sooner than the other. Since that time a new system of surveying had been originated by the Admiralty for all ships to be taken up as transport or convict ships, by which the whole of the inner part of the ship's framework would be laid open, and the surveyor would be enabled, if necessary, to remove the whole of the planking.

Captain *Pechell* suggested the propriety of admitting evidence before the hon. Member's committee, as to the necessity of forming breakwaters in the various harbours on the coast, for which a variety of plans had been suggested, and as to the best species of breakwater.

Motion agreed to.

RIGHT OF SEARCH.] Mr. *Hardy* rose to move for

> "A copy of any complaints made by the French Government to the Government of this country relating to the detention or search of any French vessels on suspicion of being concerned in carrying on the slave-trade."

He said that he had heard with great pleasure the paragraph in the Royal Speech which alluded to the concert of the European Powers in the suppression of the slave-trade, but that pleasure was much qualified by speeches of a different description which were made elsewhere. The noble Lord opposite had stated on a former evening, that very few complaints of inconvenience resulting from the exercise of the right of visit had been made previous to his leaving office, and it was very desirable that the public should know the whole amount of those complaints. He did not think the Anglophobia, if he might so term it, exhibited in certain portions of the French press, worthy of notice. But when he saw the Legislative Chamber of that great country, with the honourable exceptions of MM. Guizot, de Lamartine, de Gasparin, and Marshal Soult, avow their belief that this country sought some advantage in entering into the convention for the suppression of the slave-trade, and that they had expressed that belief by a paragraph in the address he thought it time that some light should be thrown on the real operation of the convention. His motion was for such papers as would show whether the French nation had or had not any right to complain, or whether any inconvenience had really arisen from the exercise of the right of visit. When he remembered the cordiality with which the treaty had been entered into by the two countries, he concluded that some great inconvenience must have arisen to make one of the contracting parties now wish to destroy it. He thought that any little inconvenience that might have arisen was amply compensated by the destruction of the slave-trade. He would read a short passage from the only Protestant paper in Paris, to show that even in that country there was some right feeling as to the suppression of the slave-trade. It was in the following terms:—

> "One word to our fellow-countrymen. We are numerous, brave, rich, and powerful, but we must acknowledge that England has over us a great advantage. It is not in the treasures of her industry, which to-morrow may be dissipated—it is not her inexpugnable position on the waves, for to-morrow an internal explosion may put an end to her greatness—it is not her wooden walls, of which she is so proud, for in a few hours, without the aid of our canon, the winds of heaven might disperse them in all directions; but it is in that real and living power which consists, and is to be found in the humble prayer which is every day lifted up for her to the throne of God by those on whom she has conferred the blessing of liberty."

The hon. Member concluded by moving that the papers be laid on the Table.

Sir *R. Peel* hoped his hon. Friend would not press for the production of these papers; if he did, he was sure it would not be consistent with his public duty to vote for the motion. The majority of the complaints to which the motion related he believed had not yet been finally decided, and he thought the House would be of opinion that it would serve no good purpose to lay the complaints on the Table of the House before a decision should have been come to. When they should have been finally settled, it would then be right for his hon. Friend to call on the Government to produce the decisions and the grounds on which they had been made, but till that time it could serve no purpose of public advantage to lay them before Parliament. To take notice of what might have been said by individual members of the French chambers, or published in a French newspaper, would not conduce to that which he believed to be the universal wish of the people of this country, the maintenance of a good understanding with France. The motion which stood for that night was for the consideration of a paragraph in the speech of her gracious Majesty relative to the public distress, and it was better that the time of the House should be occupied with the speech of our own sovereign than with the amendment to the address in the French chambers.

Viscount *Palmerston* admitted the force of the right hon. Baronet's reasoning; but if he understood the object of the motion, it was to show that there had been very few cases of complaint, and none on strong grounds. He would just throw out, for the consideration of the right hon. Baronet, whether the motion might not be modified into a return of the number of complaints up to a certain date. Whether that would answer the purpose he could not tell, but, as far as his recollection served him, at the time he left office there had not been any complaints—he was sure there could have been very few. He did not recollect any complaints specifically arising out of the conventions of 1831 and 1833. The hon. Member might move for the number of complaints which had been made up to the end of 1841. A return of that sort would, he apprehended, have the effect rather of altogether removing, than of increasing the irritation that existed.

Sir *R. Peel* wished that the House would consent to leave the matter in the hands of the Government. He was perfectly ready to admit that the complaints had been very few indeed; in two cases a decision had been given, but in three others none was yet come to. He hoped the House would rest satisfied with a public declaration from a Minister of the Crown rather than insist on calling for returns. He was sure the advice he was giving was good advice; and he gave it because he sincerely believed the adoption of it would tend to promote the great objects which the House and the country had in view.

Motion, by leave, withdrawn.

Distress of the Country—Adjourned Debate—(Fourth Day)]. The Order of the Day for the adjourned debate having been read,

Mr. *Borthwick* said, because on the one hand he would not refuse his support to any party in this House who moved so much as one step towards the amelioration of the condition of the people, and because on the other he would be equally cautious to avoid any mere appearance which, however, it might secure popularity, must leave the evil worse than unhealed—he had ventured even at that late stage of the debate to ask permission to explain the vote he would feel it his duty to give. He had listened with unmixed attention to every sentence uttered on both sides of the House on this important question, and he observed that whatever might be the opinions of successive speakers—and they were as various as their complexions, as to the causes of the distress, as to the distress itself, their reigned the most melancholy unanimity. The admission of the Ministers increased the pain. The noble Lord who commenced the debate, had divided his speech into two propositions — first, that great distress existed, and secondly, that the Legislature might find a remedy for that distress. If the noble Lord had intended to propose any measure for the relief of the distress, and moved for a committee of the whole House, in order to enable him to propose it, surely he ought to have given the House some hint as to the nature of the measure he intended to propose. If, however, he had no measure to propose, then the motion of the noble Lord was tantamount to asking that House to transfer their confidence from those who now conducted the Government to the noble Lord and his friends, and looking back to the events of the last ten years during which the noble Lord's friends had held the reins of power, he certainly was not prepared to give them such confidence. If they went on making change after change, alteration after alteration, they would lose one of the first elements of prosperity,—namely, stability, and the evil that might result would react on the promoters of the change themselves. The noble Lord and his Colleagues had been eleven years in office. During the latter part of that term, the seeds of distress were beginning to develop themselves, and still the late Government left office without having proposed any remedy or any prevention. The noble Lord who had introduced the motion had made a speech, one part of which contradicted the other. He began by indicating his entire approval of the principles of free-trade, and by stating that the time was come when those principles could be no longer denied. Now, one would conclude from that statement that the noble Lord was about to propose the removal of all restrictions on commerce; but, when he came to that portion which might be denominated the real and practical part of his speech, it appeared that his object was to apply in a restricted sense the principles of free-trade. Nor were the hon. Gentlemen opposite, who supported the noble Lord, by any means unanimous as to the extent to which they desired the application of those principles; for, whilst some would go a certain length, others were anxious to go further; and some who were most desirous for the application of the principles of free-trade to agricultural interests were not so anxious for their application to commerce. He, for one, emphatically and distinctly refused to give his confidence to the noble Lord and the Gentlemen at the opposite side of the House who supported him by voting for the motion, and he did so for the same reasons which induced him to support her Majesty's Government last year. He then supported the Administration in the measures which it introduced, not because he thought they were the best measures which could be proposed, but because he thought they were the best measures, indeed the only measures which had been suggested. He voted for the change in the Corn-laws, not because he thought that no better measure could be introduced, but because it was the only practical measure submitted to the House,—because it was the best measure which was proposed. With regard to the distress of the country, he did not believe that either the agricultural or commercial interest owed its present position to causes connected with legislation, but to other causes, which it would be necessary to remove, in order permanently to ameliorate the condition of the people. Amongst all the complaints which they had heard of distress during the debate, very little had been said of the distress of the agricultural interest, but that distress was deserving of the most earnest attention. And as a proof of the condition in which the agriculturists of the country were, he would mention the case of a farmer who with the rare advantages of abundant capital, joined to the most consummate skill held 800 acres in Berkshire and Oxfordshire, and whose farm produced, every year, an average of 400 quarters of wheat. This gentleman, on account of his large means, can sell when the market is at its best. Now looking at the prices of wheat for this year in the market at Reading, which was the town at which he sold his produce, as compared with the last year, previous to the operation of the change in the Corn-laws, that farmer would experience a loss of no less than four hundred guineas on his 400 quarters of wheat, if he sold them now, though the wheat was of the same quality, in fact was identically the same growth (for he had held it back) as that of last year. He was also an extensive cultivator of barley, and such was the depreciation of the price of that article, that if he sold his barley at the present prices, his loss on the years produce would be 300*l.*, making a loss in one year, as compared with the last year, of 700*l.* on wheat and barley alone. His stock was depreciated in proportion, so that if he were to sell it now, he would lose 1,500*l.* upon it. He employed 1,000*l.* upon every 100 acres. That he admitted was high farming; but he had chosen it on that very account, and upon his industry and capital together, he declared it impossible to make 7½ per cent. That was one instance of the depression which the agricultural interest suffered in common with the other interests of the country; but the agricultural interest did not make such complaints as others, although it suffered so much. The agricultural interest had always been characterised by a desire to support Government. That interest had supported the Government last year in the measures which were brought forward, although it did so at a very great sacrifice; but they were willing to bear, in common with others, any burthen that was necessary for the maintenance of the general prosperity.

What he would ask in reference to this subject was the conclusion to which one would come from reading the proceedings of the Anti-Corn-law League? Not that the League spoke the language of the people; but that it was the language of agitators who stimulated the people by false representations. The hon. Member for Bolton said in his poetry, that it was in consequence of what he called the bread-tax that famine walked from hut to hut; but he (Mr. Borthwick) would say, that such was not the fact; it was not true, that what was called the bread-tax was the cause of the distress which prevailed. If, however, the case were otherwise, and that a repeal of the Corn-laws could produce an effect on that distress, then the question would remain for them to consider what would be the duration, not to speak of the extent, of the distress which would follow to the agricultural interest. He did not speak of farmers and labourers, and landlords alone, in alluding to the distress which might be produced by listening to the doctrines of Gentlemen who were pleased to dream that they had recently discovered what were the principles of free-trade; but he alluded to the distress that would be likely to affect every interest in the country. The principle of buying in the cheapest and selling in the dearest market was put forward as if it had been a new or a recent discovery; why it was just as important a discovery as that two and two make four; a proposition which had been so gravely announced to the House by the hon. and learned Member for Bolton; that was another discovery. But those principles of exchange were not of new invention, for they had regulated exchanges since the most ancient time; they had regulated exchanges from the first exchange, if ever such took place, of a rose for a lily between Adam and Eve, down to the last exchange of Sheffield cutlery for American corn. In fact, buying in the cheapest and selling in the dearest market was like two and two make four—a mere truism. The principle was not disputed, and there was no danger that the Government would ever think that two and two make three—the danger was lest at the other side a mistake might be made, not with respect to the number, but to the things numbered, that they should mistake two and two illogical arguments for four sound reasons, or two and two fools for four statesmen. Every one would admit that if one could get cloth of one description for a guinea, and cloth of apparently the same description for a shilling, the cloth for the shilling would be nominally the cheapest, but if it were made of what the hon. Member for Knaresborough had described to the House as devil's dust, and was useless, it would not be the cheapest article. In buying in the cheapest market they ought always to consider the locality, for, supposing that the tariff in the country which seemed to afford the cheapest market was such as made it impossible to pay for our purchases in any export but gold, and such a thing might be, then we should buy in nominally the cheapest market, but in reality at a disadvantage, and in the dearest market. The proximate cause of the distress of our manufacturers was their want of markets, and that was the result of our own diplomatic system, which had closed several important markets against our manufactures. It was our own industrious impolicy which shut them against us, and measures ought to be taken to reopen those markets. And what remedy was proposed? Would the repeal of the Corn-laws, as suggested by hon. Gentlemen opposite, afford a remedy? It would not; and even if it would, even if they were right, it would be more dangerous to grant it than to refuse it. He said so, because it was demanded by an almost illegal body. It was sought to be obtained by threats, and they were told that next winter would not pass off like the last, but that men who had now arms in their mouths would then have them in their hands. Even if this demand were founded in justice, the most dangerous and fatal thing a government could do would be to grant it without first putting down the association which used such threats. He had no faith in the philosophy of hon. Gentlemen opposite, philosophy which, much as they boasted of it, never foresaw the evil. It was loud in its boasts of enlightenment and the march of intellect—but the march of the people's distresses ever overtook its tardy pace. They had partially brought their philosophy to bear, and yet after ten years of reform legislation, this country, with all the mighty elements of prosperity which were slumbering within her, her unbounded wealth — her indomitable enterprise, her matchless skill, was in a state of unexampled depression and severe distress. Wise and patriotic men—of whom one section conducted Administration, and another held the constitutional and scarcely less important functions of unfactious Opposition both—aye, both alike stood at pause to contemplate the fearful, the unnatural picture. Under these circumstances, what could he, and those who like him, owed allegiance to neither party—nor to any section or subdivision within either of them—do? Why what but urge upon them—both to consiner well by what practical measures they could command his vote, and not by idle theory and vague speculation, to trifle with so grave—so awful a question? The noble Viscount who brought forward this motion, said he supposed he should be met with the cuckoo cry of "theory." Well, for his own part, he liked the note of the cuckoo, which at least promised summer, far better than he did the strange chirping of the rare birds on the opposite benches, from the noble Lord's contralto piping against restriction to the lowest tones of those muttered of forthcoming evil and revolution. There was nothing certain, nothing practical, to be extracted from the strange discordant song of hon. Gentlemen opposite. Their theories were at variance with all experience, and really, when great countries like this were suffering under a depression of industry, the most absurd remedy in the world was to ask for a committee merely for the purpose of getting up field days and making long speeches. A remedy might be found if we could open the markets of the world for our produce, but not by the introduction of the produce of other countries to supersede that of our own. It was not by the destruction of the agriculture of this country—it was not by the destruction of its noble peasantry that they would relieve our distresses. But for agriculture this country would not have risen to its present eminence; and but for protection its agriculture would not have flourished. So long as this country had to raise 50,000,000*l*. of taxes a year, so long an English acre of land would not, so far as national competition went, be equal to an acre of land in France or Poland, protection to agriculture was essential to the pre-eminence of England and to the preservation of its glory, whether that glory resided in agriculture, in commerce, or in that extended empire by means of which we had for so many successive generations exercised the most unbounded influence over the welfare and destinies of mankind.

Sir *Charles Napier* feared, that after a debate of four nights it would not be in his power to add much to what had been already said, or to offer anything that could have the effect of throwing a stronger or better light upon the subject. It was acknowledged on all hands that the distress of the country at the present time was greater than had ever been known at any former period. The right hon. Baronet the Secretary of State for the Home Department acknowledged, on the previous evening, that the condition of the people at this moment was worse than it was in the year 1837, when the exports of the country were diminished by not less than 15,000,000*l*. The causes of the distress, he believed, were not very clear; and he fancied that very few Gentlemen would be able to agree as to what those causes were. The remedies he believed to be still more obscure than the causes; and if they were to continue to speak for a fortnight or a month, he believed it would not be possible for them to come to a satisfactory conclusion. The right hon. Baronet the Home Secretary had puzzled him, on the previous evening, a great deal more than he had ever before been puzzled in his life. The right hon. Baronet said, that looking over the mortality of the autumn of 1842, he found that the mortality during that period had not been so great as the average mortality at the same season in the years 1838–39–40 and 41. Now, he (Sir C. Napier) wished that the right hon. Baronet, instead of confining his review to the autumn, had extended it to the whole year. The House would then have been much better able to understand whether what he stated was correct or not. One fact, at any rate, the right hon. Baronet proved—that if the mortality in 1842 were less, whilst the distress was greater, the necessary conclusion must be, that the more a people were starved the longer they lived. The right hon. Baronet stated that many mills that had not previously been working, were set to work in the year 1842. But, even if that were correct, the right hon. Baronet had discovered another extraordinary fact, that the more the people were employed, the more distress existed in the country. The only glimmering of hope that he could produce was a letter from the sheriff of Paisley, which stated that there was a prospect of amelioration in the condition of the people; and the report of Mr. Horner. But it was a pity that the right hon. Baronet did not refer to the reports from other districts of the country. [Sir *J. Graham*: I was speaking of the cotton districts.] Does Mr. Horner represent the whole of them?—[Sir *J. Graham*; Yes.] Oh, then, I am wrong. Well, the right hon. Baronet went on to say, that all prohibitory duties had been repealed. Now, this was not the case. It was well known that we were at the present moment endeavouring to make a commercial treaty with Portugal. He, when in that country, took a great deal of trouble to inquire what was the state of our relations with Portugal and he found that the general impression of the Portuguese was, that England did not treat them kindly, or even fairly; but that she was trying to drive a hard bargain with them. In 1837, the Septembrists, or revolutionary government, came into power, and they put forward a new tariff, extremely inimical to this country. They admitted that the customs had not gained by it, and that their trade had diminished. It was really painful to see the reduced state of the commerce of that country. The high duties in Portugal had driven away almost the whole of the Spanish trade to Gibraltar, converting it into a contraband trade, to the great injury of Portugal. The position of the landed interest of Portugal was as bad, if not worse, than that of this country. And what was the cause? They complained of the high duties imposed by England upon the wines of Portugal. Upon some of their most excellent wines a duty of no less than 700 per cent. was imposed on its importation into this country. The duty on port wine was 35*l.* per pipe—a wine which in Portugal was drunk at the table as familiarly as we, in England, drank small beer—being no less (as he had already said) than 700 per cent.; while, on other wines, the duty was equal to 350 per cent. With these duties existing, was it fair or just to blame the Portuguese government for not making a treaty with us? We complained that they imposed a duty of 100 and 150 per cent. upon our manufactures, while they, on their side, complained that we put a duty of 700 per cent. upon their wine. This was a subject well deserving the attention of the Chancellor of the Exchequer. It appeared to him extremely hard that the British public—persons having small properties of 200*l.* or 300*l.* a year—should not be able to put upon their table a glass of wine to entertain their friends with. It was perfectly abominable. At present a person of limited income was obliged to drench his stomach and that of his friends with currant and gooseberry wine, which added nothing to the Treasury, instead of drinking wholesome port, which he might easily do if the trade with Portugal were thrown open. If England would meet Portugal half-way, he was sure that that country would be but too happy to enter into a treaty with us, and effect a free exchange of good wine for English manufactures. Another article of commerce with Portugal which required attention was fish, and the next was oranges. There was no less a duty than 75 per cent. upon oranges. The hon. Member for Shrewsbury (Mr. D'Israeli), had thrown the blame of our not having effected a treaty with Portugal upon the negotiators. He (Sir C. Napier) rather suspected the hon. Member was fishing for an ambassadorship. But surely the fault did not altogether lie with Lord Howard de Walden. The Duke of Palmella, it was said, had some interest in Portuguese manufactures. If so, he was afraid that would in some degree retard the concluding of a treaty between the two countries. With respect to the shipping interest, it should be borne in mind that there had been an extensive introduction of steam vessels; it was, therefore, not to be wondered at that a great part of our ships were laid up. Still he hoped, that the shipping interest was not in so bad a state as had been represented; but he felt satisfied, that if the Government would lower the duties on foreign productions, it would benefit the country, and give increased employment to our shipping. The next three articles which engaged attention were sugar, coffee, and corn. With respect to sugar, he believed there was a general disposition, on the part of the Government, to lower the duty on that article. He hoped there did exist a feeling of that kind. He was perfectly aware, that the lowering of the duty upon Brazil sugar would do great injury to the West Indies; but he should wish to know why a whole community was to be sacrificed, in order to promote any particular interest? Let the West-India proprietors, if they were not able to live in London, go out to their different estates, where they might live as gentlemen, and then this country would not be obliged to maintain them at the expense of the community. With respect to corn—the article of the greatest importance—he was happy to believe that it was a question on which both sides of the House were to a considerable degree approaching each other. With regard to the sliding-scale, the mention of it reminded him of a circumstance that came to his knowledge many years ago. When he was in the West Indies, during the war, a great deal of sickness prevailed, and the deaths were very numerous. A coffin-maker, at that time, carried on a very thriving trade; but when the war was over, he, like many others, suffered a reverse of fortune, and coffins were not so much in demand. To compensate himself, he ingeniously invented a sliding-scale—or rather a sliding bottom to his coffins, by which he contrived to let the body slip out of the coffin into the grave, and thus one coffin served for many bodies. A great agitation was got up on the subject, very similar to the Anti-Corn-law agitation of the present day; till at length the matter reached the ears of the governor. The result was, that the governor ordered the coffin maker to put a fixed bottom to his coffins, and the man was obliged to abolish his sliding-scale. He remembered, on another occasion, a man inventing a sort of sliding-scale mast to his ship—called a "Gunter-mast"—which rose up and down according as the wind blew. When the wind went down, the mast got up; and when the wind went up, the mast went down. The crew set their wits to work to invent a nickname for the ingenious contriver of this piece of naval architecture, and they called him "Sliding-Gunter Bob." He hoped his right hon. Friend (Sir Robert Peel) would take advantage of the present disposition that seemed to prevail upon this great question, and would come forward fairly and honestly, and make a compromise with the Corn-law league. Let there be a permanent duty of some amount or other: he would not use the terms, a moderate fixed duty, a reasonable fixed duty, or a low fixed duty; but he would say, let there be a compromise, and let the law for regulating the importation of corn be established upon a duty of 8*s.*, or 6*s.*, or 5*s.* a quarter. If the right hon. Baronet would do that, he would accomplish more good to the country at large, than if they were to sit in the House debating the question for a couple of months.

Mr. *Cochrane* said, that although it was not in his power to support the motion of the noble Lord the Member for Sunderland, still he could not agree with many Gentlemen, and among others with the hon. Member for Winchester, in thinking that the noble Viscount in bringing this question before the House had acted injudiciously. He could not consider, when such distress was admitted by all to be prevalent throughout the country, that it was at all unbecoming the representatives of the people to take that distress into consideration, even though it might be impossible to form any practicable plan by which it could be ameliorated. It would be indeed unwise to shrink from the admission of the existence of great distress, for no wound could ever be cured unless it was sufficiently probed. Neither were the signs of the present crisis confined to the distress of the lower orders; they must look to the middling classes, among whom (in despite of what the hon. Member for Winchester had said) he considered that at the present moment there prevailed great doubt and uncertainty, and great fears as to the future, which fears produced consequences scarcely to be exceeded by the realizations of the evils themselves. Among the higher orders there did, he was grieved to say, appear a strange supineness, a slumbering over a volcano, a seeming confidence that all things must turn out well, because Providence had hitherto protected us from harm. If such were truly the state of the nation, it could not be unattended with danger. He knew that many persons turned to the dark pages of our history, during the years 1816 and 1817, and not seeing such outward manifestations of discontent, could not imagine there was cause for fear at present; but it must be remembered that twenty-five years since the distress was occasioned by the transition from a state of war to that of peace; and, as the Prince Regent said in opening Parliament in 1817, the country only required repose and time to restore its energies. But now, what hope of improvement could they have from time? and he feared much if the signs of discontent were less apparent, it was not because the distress was less than it was in seventeen but that happily twenty-five years of peace had improved the moral and religious character of the people. The resolution which was framed by the Common Council of London some months since, he believed, too truly described the evils under which this country was suffering, and which were daily increasing. He knew that hon.

Gentlemen opposite ascribed all our misfortunes to one cause, namely, the Corn-laws. For every disease, like Dr. Sangrado, they had but one cure. He looked beyond this question, and would mention some other causes which, in his opinion, led to the present state of distress. And first, could they too highly estimate the spirit of over-speculation, the emulous love of wealth, which had spread amongst all classes, the highest as well as the lowest, and entered into all, even the least, concerns of our present life? No sooner did one company start into existence than a second immediately followed in the race of competition, and this rivalry had of course increased of late years, from the difficulty of finding investment for the great mass of unemployed capital; then followed reduction of prices, until those who had the smallest capital were invariably driven from the field; was not this caused by the increased importance attached to wealth, and the excessive luxury of the age? It was more important to a man to have a good establishment than skill in his profession, so money must be obtained at all hazards, and this it was which made men embark in the wildest schemes, lured on by the love of gold, which prevented them fairly estimating all the risks to which they were exposed. Another cause he would mention was, the pernicious influence exercised by the leagues, societies, associations, or by whatever name they might be known, which had of late years destroyed the natural independence of honest-minded, single-hearted men, and made their voices the mere echoes of their designing leaders. Individuals, it had been said, would listen to reason, but parties never. He had great faith in the natural good dispositions of the lower orders, but that was wholly lost when they were incorporated in such societies, and swayed by such men. And what, after all, was their great panacea for all the evils attending over-production? —Why fresh markets and increased production. Now it was perfectly true that increased production would postpone the evil day—but *mole ruit suá;* would not a fresh population arise, and consequently would not the elements of still greater evil exist after the lapse of a few years, if in such moments of distress men of rash and bad passions, whose only prospect of success in life was a convulsion which might bring the dregs of the nation to the surface, appeared with their specious doctrines? The seeds of sedition and treason took ready root in the human mind. Let the House look to the proceedings of a recent meeting held at Manchester, if they required proofs of sedition and treason. He would pass by the language of the right hon. Gentleman the Member for Cork, violent as it was; but did not the hon. Member for Bolton compare the agitation upon the Corn-law question to the march of the French populace upon the Bastile? He would ask whether such language were not calculated to inflame the minds of the lower orders, who could not observe the ridicule which attached to such agitators like that Anacharsis Clootz, who came from America to proffer to us, in the violent days of the French revolution, universal fraternization? But they would tell him that they spoke daggers, but used none. Yes, he readily believed that all this inflated bombastic language was far removed from the still energy of action. He was not blind to the weaknesses of such characters; but still as the pioneers of sedition they might prepare the way for men more brave, more active, and by so much more virtuous than those who were willing to wound and yet afraid to strike. They hesitated not to prophesy a total change. They scrupled not to declare that the time was come when all classes, all orders, would be merged in one overwhelming ruin. He admired their foresight; it was not difficut to foretel the destruction of a house when they themselves carried the torch which was to set it on fire. "Repeal the Corn-laws," say the Leaguers, "and the farmer will be benefited by the increased accumulation of capital; by the steadiness of prices; by the certainty that no further injury could be inflicted on him." He would admit that these were advantages; and did they imagine the farmer blind to the fact, that this country owed much to its manufacturing industry? And if he were duly impressed with this conviction, could they suppose that any feeling, save the instinct of self-preservation, and his anxiety for the real interest of his country, would induce him to oppose measures which, according to them, must open out to him fresh sources of wealth? But no, the men of whom the League was composed could not imagine any one extending his views beyond his own selfish interests; they could not contemplate the existence of a generosity, the sentiment of which they had never experienced. It was self-evident that with the present prices we could not compete with other countries where the labour and articles of consumption were much cheaper, so if wheat was admitted duty free, either the rent or the wages must be lowered: if the latter, where would the poor benefit? He would appeal to any man, whether the average rents could bear any further reduction consistent with the existence of an aristocracy? The real question at issue was, that of the continuation of our present form of government. He knew it was said, "Why should labour be dearer here than in other countries?" but surely this was to raise the whole question of our social position. Why were we burthened with a debt, the interest of which swallowed up half our revenue? Why had our population been for so long a period accustomed to comforts, which had had so beneficial an effect on the morality of the country? Why was our population on every square mile double that of any other country? "Oh!" (but they continue) "necessity is the mother of invention; fresh improvements in husbandry will lead to increased cultivation;" but surely this was a poor hope to counterbalance the certainty of evil, when invention had once reached its limit. Look how the burthens had been thrown upon the land within the last twenty-five years. In 1815 the remunerating price was stated to be 80*s.*; this was diminished in 1822 to 70*s.*; in 1826, when Mr. Canning brought forward his resolutions, the Duke of Wellington declared that he would support no measure which did not prohibit importation until the price had reached 66*s.* Notwithstanding this, Lord Glenelg's measure was carried in 1828; and last year the remunerating price was declared to be 54*s.* and 56*s.* But was even this price attained under the present system? Very lately, when he was in the southern counties of England, the price of wheat was 47*s.* He understood the right hon. Baronet at the head of the Government to explain this by the large quantity of foreign grain which had been thrown into the market. Yes, but what did the right hon. Baronet say last year? "In the first place there is no such an amount of foreign corn available to the supply of this country as need excite the alarm of those who dread an excess." So he believed that this great reduction in price was chiefly owing to the want of confidence in the continuance of the present system; for nothing had so great an effect on the circulation of capital, and the consumption of exciseable commodities, as a state of uncertainty, when no man knew what a day might bring forth. He was much astonished to hear the noble Viscount who had introduced this motion, for whose talents he had so great respect, compare the relations with other countries, to that of different counties in England. The noble Viscount said, "suppose one manufacturing county refuse to exchange its commodities with the corn of a neighbouring agricultural county—would not each be absurdly ruining the other." Now he would freely admit that if all countries were in the same relative position to each other as the counties of England — if if there were some mighty superintending power which might say, "Here exists too little—there too much,"—and so balance all our interests—if there were no wars or rumours of wars, such universal fraternization might be practicable. But to question the validity of a system of checks and balances was to question the whole divine system. Why should not all nations have equal heat and cold? Why were not the gates of the Temple of Janus always closed? Why was one man rich and another poor? Why was the strongest in the days of the feudal Kings selected from the people, and, enthroned upon uplifted buckler, declared the ruler of the land? He would now refer to the question which he considered of the greatest moment—namely, the want of confidence in the present Corn-law. He believed that even a total repeal would be preferable to the present state of insecurity and the total want of confidence which prevailed throughout the country. In the case of tenants-at-will, it might be sufficient to tell them that the present system would last for twelve months; but in Scotland, where the land was let on leases of twenty-one years, and where, even there, in some counties, it scarcely paid the expense of cultivation, and the class of tenants who held such farms had no capital to throw away, how was it possible to carry on their plan of drainage and ploughing, by which process alone the land could be improved, unless they had confidence in the continuance of the present system for a long period of years? For his part, he regretted that any alteration was ever made; but since it had been made, there was little hope of their retracting their steps; and indeed the impossibility of so doing should serve to warn them, and make them the more careful how they approached any further change. What was the great complaint during the existence of the late Government? The uncertainty of the future which resulted from its instability. Did not the nation cry aloud for a strong Government, in the hope that it would bring back confidence? and now that we possessed a great majority, was the general hope fulfilled? Alas! there was little difference between a tottering Government with firm principles of action, and a firm Government with tottering measures—*Ista quidem sententia quæ neque amicos parat neque inimicos tollit.* He had not the presumption to say that the right hon. Gentleman contemplated further alterations; but the House would agree with him that the right hon. Gentleman having expressed himself as he had upon the subject, he could not be surprised if there were men who believed that next year the protection might be still further reduced, or entirely withdrawn. What, therefore, the nation demanded from her Majesty's Government was, that they would distinctly state that, under all the circumstances, the present protection should be secured to the farmer. Of course he did not mean to say that the scale must not be subject to alteration from time to time as the value of money varied; but he would again repeat that the principle of the actual protection which kept the remunerating price between 54*s.* and 56*s.*, should always be supported by the Government. If this declaration was fairly made, he believed it would go far to restore confidence; and with returning confidence they should have returning contentment. The power of the League, which existed upon uncertain and vague declarations, would be weakened, and the friends of good order would rally; and if, in conjunction with this, the House strenuously endeavoured to promote religion and morality through the country, by upholding the authority of the church and destroying that principle of centralization which had so seriously affected the national independence of character, he believed that the cloud on the horizon would not overshadow us; and sure he was, that His voice which could alone stay the tempest would not be raised in vain.

Dr. *Bowring* explained, that what he had said was, that the Corn-law League, by its moral influence, would do more than those who overthrew the Bastille had been able to accomplish with physical force.

Mr. *Villiers* said, that the speech which they had just heard from the hon. Member for Bridport convinced him, as other speeches had done, of the propriety of a motion that committed this House gravely and deliberately to consider the true causes of the condition of the nation; for while they all implied considerable apprehension as to the prospects of this country, great doubt and difference of opinion was expressed as to the cause and the cure of the evil admitted to exist. He approved, then, of a motion that invited this House so to engage itself. If the House gravely undertook this task he did not think so ill of its intelligence as to doubt that it would succeed; and he knew nobody who would not admit the importance of the information they would obtain. He thought it, indeed, the more necessary to enter upon this inquiry, from the doubt and indecision that seemed to pervade both the action and opinion of the Government. He did not question their capacity or their desire for the greatness and safety of the country; but, as yet, it had not been possible to elicit from them one clear idea as to their view of what had brought the country into its present state, or what their views were as to the course which this country was now taking, whether they thought its commerce was in a state of decline, or whether we were on the eve of great prosperity. One day a sort of tacit sanction is given to fallacies admitted to be the most ignorant and absurd by every cultivated mind; the next a doubt is expressed with regard to what the best intellects have pronounced to be so. Connected with this confusion, as to the cause of our condition, seems to be the want of faith in any remedy, whether springing from themselves or their opponents. One day a great principle is ad-admitted, having an important bearing upon all the interests of the country, the next day its application is refused. Abundant cleverness had been shown in fencing with opponents, and changing the issue in question; but any manly, open, or complete grappling with the question of the cause of the present state of our commerce, revenue, and condition of the people, no grave or intelligible view, had yet been given. He said, then, as reasoning and responsible men, they should enter upon this inquiry, with the view to guide them in their future legislation. He did himself remain of the opinion he had frequently expressed in that House, which was countenanced by abler men, and which was expounded by the noble Viscount in bringing this subject forward, that the signs of deterioration which they then witnessed, did chiefly spring from the productive power, comprising the capital, machinery, population, and all the arrangements for production in this country having reached an extent as, under the existing regulations affecting their trade and the existing relations with foreign states, rendered our products disproportionate to their demand, and thus rendered it difficult to obtain a profitable investment for capital, or an adequate reward for labour. He believed that if the House would regard the present state of the country with that proposition in view, it would help them to solve the difficulty of their present state. It would apply to every business and every department of industry. There is but one story told of them all. Whether it regards our fabrics in cotton, linen, silk, or woollen, the one complaint is sinking profits and less wages for the same labour. It is the same, if not worse, in the iron trade, the hardware trade, or the potteries; it equally applies to all the businesses engaged in the conveyance or distribution of our wealth, whether among ship-owners or shopkeepers, and the depression in all is indicated by that which depends upon them all, namely, the revenue of the country. Without profit to capital, without due remuneration for labour, the vitality of the machine is stopped. It was this which occasioned that fearful competition in this country, which caused so many capitals to press into the same business, and so much labour to seek employment from the same capital, and which resulted in so much uneasiness, anxiety, and depression of spirit, and now what was a fearful sign was to be observed, that capital was being daily sacrificed while population was increasing. This was alarming, also, on other accounts, for if it continued it must soon create some apprehension for the manner in which this country is to meet those great fixed charges for which it is liable. He alluded to the great charge of the national debt, the public service, and the public provision for the unemployed. From what sources were those liabilities now met, but from the results of the active and extensive employment of our capitals and our labour. Let those resources sink—let alarm once arise on account of our means of our meeting these charges, and it is the short precursor of confusion. And though the hon. Member for Durham plumed himself upon the institutions under which he lived, as contrasted with those of the United States, and seemed to think that the class to which he belonged, offered a guarantee for the national faith, yet if he mistook not what he had already heard, if, when there became another question of fresh taxation to meet a further decline of the revenue, whether they would hear more still of what was in the minds of some already, of adjusting the account with the public creditor. He had heard that people were already talking more than they had done before of it, and in spite of the Member for Durham's assurances, the class which he said he represented, if distress reached that body, the question was not unlikely to originate with them. If, then, these dangers would of necessity result from the continuance of their present depression, was it wise, on a point of form, to forego the moment of rigidly examining into the causes of our commercial decline, and to learn, as the noble Lord said, whether the evil may not be traced to their own legislation? If that was in doubt, there should be inquiry; if there was no doubt, and it was so, surely they ought to legislate at once. He owned that he thought there was little difference between the Government and those on his side; and he thought the position of the Government, as collected from the speech of the right hon. Gentleman the Vice-President of the Board of Trade, important to consider. They admit the greatest distress to exist; they admit that the remedies proposed by many individuals are wholly unsuited to the present circumstances. They say, that to tax machinery, to debase the standard, to issue inconvertible paper money, to favour particular classes, is all folly and error; they admit, to use the right hon. Gentleman's expression, that the enlargement of the field of commerce, and to extend the demand for industry, is the real remedy for their present state; and thus the Government and the opposite side were agreed. Why, then, do they not act upon their opinions? Could any body collect from the right hon. Gentleman's speech, which he was bound to say he thought a somewhat melancholy display of trimming with truth, and trifling with his own convictions. He told them that he had commenced last year, and that something had been done. Why, what did that commencement mean? It admitted the whole truth of a principle in dispute before, and showed how reprehensible it was in this House not to have commenced to apply it long before, and how inexcusable it was not to go much further. Look, for instance in that item in the tariff which he thought was the one in which the principle had been applied with the most boldness and most effect—the timber duties; how long had those duties continued after the time they had been denounced as a serious loss to the country? It had been put at the very lowest estimate that those duties had been a loss to the country of 1,500,000*l.*, and yet they were only removed last year, and with no more reason than they ought to have been removed years before. Again, what was the principle on which the tariff was reduced, on the showing of the right hon. Baronet himself. He said it would reduce the cost of living, and that two important consequences would follow from it—one was, that the burthen of taxation would be less felt by the community; and the other was that, activity being given to the exchange with foreign countries, many would get employment that were poor then. Now this was true, and a most important principle it was to admit; but what possible excuse was there for not carrying it further. Are the people's burthens less than they were? Are the people so well employed that they need no more? The contrary is notorious. Why, the burthen that was intended to be relieved was a new one; it was the income-tax, imposed when the revenue was sinking, in consequence of the condition of the people being bad. How doubly necessary was it, then, to improve the condition of the people, and enable them to earn their own subsistence; and yet what has been done to effect this? Would it not have been expected that the reductions would have been made when food could have been procured at the lowest rate, and when trade would be likely to be rendered most active, which would have been done by liberating trade with the United States and Brazil, and yet those were the quarters where no change was made and no relief was given. They had no better trade in food than they had had before, and the same obstructions to the trade with Brazil were unremoved. Was it then wonderful that the condition of the people was not improved, and that in consequence of the new tax, they were less able to expend upon those articles which afforded other resources to the revenue; and was it unreasonable, with the revenue in the state it was, with the condition of the people as it was, with no prospect of improvement in either, to ask the House seriously to consider if it was not within the power of legislation to award some relief. The right hon. Gentleman pointed to difficulties which they had to contend with in dealing with protected interests, does he believe that the difficulties will ever be less. Will they not always be the same, or greater? Will they not always have a Member for Durham offering his support to a minister, on the terms on which they were proposed the other night, which was, in plain English, as long as he maintained their Corn-law. He talked of the readiness of himself, and the gentlemen of England (as he called them) to rally round him, and protect him against the violence of agitators, but always subject, he expected, to the condition of maintaining the law that maintained high rents; no people less to be depended upon, if he acted otherwise, he had little doubt. But the Vice-President of the Board of Trade talked of circumstances under which it might be possible to proceed in the course of liberating trade, and said that a man must be, as Burke said he would be, stark staring mad who would disregard circumstances. Why, really, he thought the right hon. Gentleman deserved the imputation, if he thought, with the views which his Government entertained of the effects of free-trade, that those circumstances had not arisen. What would he have? Where could he look for a sign of distress, and not find it? Would he see the grass growing in the streets, and the people in open rebellion. When will circumstances arise to require relief if they had not arisen. But the right hon. Gentleman excuses himself from meddling with the Corn-laws, and distinguishes it from other laws, because, he says, it always has been a rule to legislate for corn in a peculiar way. A rule!—why, of course it has—not only with respect to corn, but with respect to everything affecting the interests of men who have complete and irresponsible power: it is a rule of human nature to serve own interests at the expense of other people's. Ever since the landowners have been the dominant class in this country they have been making laws about agricultural produce. The hon. Gentleman says there have been twenty-five Corn-laws. Why, I can tell him there have been forty, or about one in every twelve years for 500 years past; and it has been the rule ever since the Conquest with the landowners to help themselves: and what a lesson ought it to teach them as to such legislation as that about corn, that they change the law every ten or twelve years. It ought to show them how impossible such laws are to last in a free country. Let it only be considered what ludicrous legislation there has been on this subject. That they opposed the produce of Scotland coming into England is known. Then they resisted all trade with Ireland to protect themselves. It is only about a century since that a petition was presented and discussed in this House from one county to protect it against another. One county (I forget which it was) prayed to be protected against the beans of the neighbouring county coming into its markets, and pleaded its native industry according to the approved fashion of the present day. Then the landed interest in the metropolitan counties interfered to prevent good roads, for fear it should bring the produce from distant counties to London, for fear they should not have the exclusive supply of the town; and they were right, if you are right. It is one and the same principle throughout—it is protection of some against the good of all. It is the same argument exactly now against the trade with different countries as it was before with different counties; and all the Conservative phrases that we hear about not doing what is wise and just on account of vested interests, capital laid out, settlements made, as against the common good, applied just as much to extend trade to Ireland or Scotland as it does now to foreign states. Nor will the public fail to see that, notwithstanding the attempts that are made here to evade or confuse the real question. Observe the things which are said by speakers in this debate. One is, that our productive power is so great that it has caused general distress. Granted; but what is their remedy? why to keep up every obstruction to trade. If they asserted the other thing we might understand their logic. But, no, says the hon. Member for Durham, we might produce enough to supply two or three other planets, therefore he will have no free-trade, though you are crowded and overstocked beyond description here: that is not the remedy. But, says the hon. Member for the West Riding, the distress is occasioned by the monetary affairs of America: she has got no money, therefore, what? Take what she can give you instead? No, but keep on your Corn-laws to prevent what she can pay you coming into this country. His argument is that trade is stopped with America, which injures England; that is a great evil; but don't do the only thing that would revive the trade between the countries. He quotes a passage from the President's last speech to show that they are badly off for money, but omits to quote the passage in which he says, that they are also suffering, because they cannot find a vent for the surplus produce of their soil, which is our food; so that here we are both suffering; we for want of food and trade, they for want of a market, within twelve days sail of each other, and yet we are sitting over the matter here, and saying the time is not come to legislate. Then, says the hon. Member for Shrewsbury, do not always talk about Corn-laws, it is trade you want and that you can get, elsewhere than in the corn countries. Why don't you look to the East, why don't you treat with Reschid Pacha? why don't you have commerce with France? In short, give the hungry people food enough, by giving them trade with those who have too much food. Why dont you go to get wine, and oil, and silk—in fact, any thing but food, where you can get it cheapest and best. This was the real character of the arguments against free-trade. There was nothing like it but that story of the Member for Cork's, who described one of his countrymen as having a horse that got so exceedingly thin that he called in a neighbour to consult about it, and whom he assured that he had done everything in his power for him—that he had bled him, and blistered, doctored, and fired him, but he only got worse. Upon which his neighbour asked if he had ever tried corn. No, that had not occurred to him, or if it had, there was some reason why he objected to the experiment. This was the case here; all admit the patient is suffering; all are solicitous of giving him relief, but all object to the only relief that would benefit him. Really, however, this was a very serious matter. The fact was, that they were trifling with the feelings, and sufferings, and passions of the people, and nothing that had been said or done hitherto could be deemed in the least satisfactory to them; and Gentlemen were mistaken if they thought—however much they might object to them—that they could suppress the active associations that were now forming in every direction to obtain this measure of justice. Severe allusions had been made to the Anti-Corn-law League, which he should not condescend to reply to. It was a natural and proper association, and incident to a free country, as a means of people expressing their wants or complaints: the League was doing great good, and if they were not afraid of the truth, they would not object to it. It was diffusing valuable information throughout the country, and doing much to remove error and ignorance on a most important subject. It was doing for free-trade what religious societies sometimes did for religion, what scientific societies did for art and science, and what agricultural societies did for improvement in agriculture, and he trusted that it would never dissolve till the great measure of right and justice which it sought was obtained. If the people had justice they would be satisfied, and they ought not to be without.

Viscount *Sandon* said, that it appeared to him that the whole question was, in what way should they give the greatest amount of employment to every class of labour? The hon. Member who had just sat down seemed to imagine that, by adopting the principles of free-trade, they could gain a great amount of foreign trade without any sacrifice of any trade which we at present possessed. To decrease the price of production was obviously to diminish the remuneration of labour, and the Vice-president of the Board of Trade had truly stated, that it well deserved the consideration of the House whether they should not sacrifice a great deal of the employment that was given to labour at home by exposing our agriculturists, without any protection, to a competition with countries differently circumstanced. They should consider whether, in endeavouring to gain those advantages, they did not sacrifice more than an equivalent by sacrificing one trade to another. The home trade was a certain trade, and though the foreign trade was one which it was important to encourage, yet it should be recollected that it was exposed to more contingencies. There could be no doubt that the prosperity of the home trade depended, in a great degree, on the prosperity of the foreign trade. The hon. Gentlemen opposite seemed to think that the word "trade" was convertible with "foreign trade," and that there was no other trade but that which was carried on with foreign countries. All economists had agreed that the home trade was most considerable and most important, and that it was their duty to encurage it. The hon. Member who had just sat down seemed to consider that agriculture was not a trade at all. But it was, after all, the greatest trade in the country; but it seemed to be considered by hon. Members opposite that it was not to be thought of; but it was, after all, the greatest trade in the country. He would ask, why should that trade alone be left without protection? He would ask any hon. Gentleman who recollected the debates of the last Session, whether there was any trade, unless the cotton trade of Manchester, which had shown a disposition to be left without protection from the competition of foreign countries. Protection was expected by the ribbon weavers of Coventry, by the shoemakers of Northampton, and by every other branch of our manufactures. Surely, then, if every trade in the country was to be protected the great fundamental trade of all should not be the only one left without protection. They had been attacked for wishing to maintain a law that had not been more than eight months in existence, and surely a great commercial law like this was not to be tested by the experience of a few months. He confessed that he did not see how, in eight months, they could have had sufficient experience of the working of this law. In the adoption of the sliding-scale, it was considered that they ought to adopt that amount of duty which would enable the agriculture of this heavily-taxed country to compete with the corn of other countries which were not so taxed, and to combine with this protection to the farmer an adequate protection to the consumer against excessive price. The sliding-scale had been considerably improved by the law of last Session. It was said, why exclude the corn of America? But if they admitted the corn of one country they could not exclude that from other countries. If they had a free trade in corn, it was well known to the Americans themselves, that the principal supply would be from Odessa and other parts nearer to us than America. It was said why not let the Americans pay us in corn, but this was stated as if they were to consider America in the light of an individual. It should be remembered that the American merchant and the American farmer were two different persons, and the merchant who owed money to this country might not have the means to procure American corn to send to this country. He believed that the difficulties under which the country was suffering were too difficult to be dealt with by any legislation. Great Britain was contracted within a narrow space, our population had rapidly multiplied, our power of production had increased even in a greater proportion, and there was a superabundance of capital which made no return, and he was afraid that we had no reason to expect an increase of markets at all commensurate with our enormous power of production. If there was a remedy to be applied, it would be by diminishing unripe speculation which he believed would be of great benefit to the country. After opening the foreign markets by treaty, of which he trusted care would be taken by Ministers, they should in the next place limit the great facility of credit, which has always produced great evils to the country in which it was pursued. He believed that the facilities of obtaining credit was one great means of exasperating the difficulties that existed, by giving so great a stimulus to production. He hoped means would be taken to give a sounder basis to the manufacturing activity of the country, and that they should leave capital to its natural power of increase, which was sufficient for all purposes, without being stimulated to that unhealthy state which had produced such tremendous evils in all the great seats of manufacture. Independent of the evils arising from the too great facilities of credit, he had not heard any of the hon. Members opposite dispute any of the causes that had been assigned for the present distress. It could not be doubted that the state of America had inflicted the greatest commercial injury on this country. He had heard the statement ridiculed, but he had not heard a single argument to shew that such a state of things could have had any other than an injurious effect on the industry of this country. This debate appeared to have been carried on without a purpose, or an object, unless to let escape some of that fixed air which had been so long confined. If the motion had been for a committee up stairs he could have understood it; but let them not, under the form of such a motion, have a Corn-law debate daily shadowed forth. It appeared to him to be offering the most miserable mockery of a boon to the distressed people of this country that a party had ever offered: and let them not be wasting the time of the House and of the country by a mere motion beating the air. It was admitted that the distress of the country was not owing to the price of food, but to the want of employment for the people. He did not believe, that they would increase the employment by the measures proposed; in his opinion, they would sacrifice the permanent interests of the country, whilst they would render any good contingent on the acts of other countries: and they were running the risk of superadding to the distress of the manufacturing and commercial interests, a distress equally great over the agricultural interests. Did not every manufacturer feel that from the panic occasioned by the late changes, they had a worse market in the country towns than they had before? Then let them consider what would be the effect if these changes were further extended. He did not wish to say that the only motive for these proposed changes was a desire on the part of the manufacturers to see how much more cotton they could dispose of: but if motives were attributed, let hon. Gentlemen opposite recollect that much might be said by others. They thought that they would obtain more industry by the course they recommended, whilst he maintained honestly and fairly that they could not expect such advantages; and agreed with the most eminent statesmen in all parts of the globe, that agriculture ought to be protected.

Mr. *Muntz* did not approve of the present motion, it was not straightforward and English enough for him. Whilst it bore upon the face of it an inquiry into the distresses of the country, the details changed that face, for the noble Lord who moved it, repudiated all distress except that caused by the Corn-laws. But as it bore upon the face of it an inquiry into the distress of the country, and as he knew how much that distress had increased, he felt that he would not be doing his duty to his constituents and to the country if he did not take some part in the debate, and eventually vote for the motion.

He had lived too long in the world to fear being laughed at. His reasons he thought sufficient; and if others did not think so, he could only regret it. Hon. Members would recollect, that during the discussions in the last Session, he had anticipated the present state of affairs, and when the right hon. Baronet the First Lord of the Treasury had then told them not to take too gloomy a view of their prospects, he had differed from him, and had told him that twelve months from that time the state of commercial affairs would be worse instead of better. He believed that it was now felt by the House that the state of the country at this time was worse than last year. The privations were more severe, and not only were the working classes suffering more, but the misery extended itself to the middle class; trade was profitless, and many would soon have no other resource than the workhouse. He spoke without any desire of exaggeration; he detested exaggeration; nothing was so bad for a cause. He spoke from a personal and extensive knowledge, not only of his own, but of a considerable number of businesses; and he had no hesitation in saying that there was not one trade, unfavoured by adventitious circumstances, in which there had been a reasonable profit, or an interest on the capital employed. Nay, from his knowledge of foreign trade, he could say that notwithstanding the exceedingly low prices, which were affording no remuneration, there was not one trade which would bear an advance of 2½ per cent. without destroying the demand. During the course of the debate, there had been but one line of argument on both sides of the House, that it was the quantity of business done which was important; the quantity was undoubtedly important under certain circumstances; he contended, however, that it was not quantity, but quality, which was to be looked to. It did not matter to the artizan that we imported two millions bags of cotton, and exported as much, if he could not live. He did not mean to say it invidiously and offensively, but the right hon. Baronet had dubbed himself "the doctor" on a recent occasion, and had told them that when he was regularly called in and had received his fee, he would precribe. And here he must observe, that the right hon. Baronet had deceived no one; he had told them, before he was called in, no legislative enactment could remedy the evils of the country, and if after that declaration the House thought fit to take him, the right hon. Baronet was not to blame. He would not take any factious part; he saw in the right hon. Baronet much to respect and admire, but he did not legislate upon natural principles; he believed that he became more natural last year, he had reduced the price of articles imported nearer to an average amount; yet he (Mr. Muntz) asked whether he had benefitted the country? Whilst many interests had been sensibly injured, most had not been benefitted. The right hon. Baronet had been duly called in, he had received his fee, he had been practising for two years. How far the state of the patient was improved under the treatment it was for the public to say; but, as far as he (Mr. Muntz) had gone among the people, he had heard universal complaints. They had expected, when a firm Government had been established, something would be done. They found that instead of improvement, they were proceeding from bad to worse. It was a question of price; what was the cost of production, and what was the price of the sale. What was the reason why the manufacturers of this country were not remunerated like any others? We had by our Corn-laws fixed the average rate of food materially higher than the rest of Europe. One would have thought that the labourers might have raised their wages to the same average rate; not only were they not enabled so to do, they were prevented from doing it. He acknowledged that the agriculturists ought to have protection; but he said they were wrong in their mode of taking it. He said it was not right to give protection for one great article of life, unless they also raised the wages of the labourers. He said that our Corn-laws raised the price of food here 50 per cent. higher than in the rest of Europe, whilst our money law depressed the wages just as much per cent. They fixed the value of the ounce of silver by law: having fixed that value, they fixed the rate of exchange by that value; having fixed the rate of exchange, they fixed the selling price of every article of export; and by fixing the selling price of every article of export, they fixed the rate of wages. They gave an artizan 5*s.*, and expected him with that 5*s.* to buy 7*s.* 6*d.* worth of bread. He asked the House how 5*s.* would make an artizan comfortable and happy if he had to spend 7*s.* 6*d.* for food. They must repeal our

Corn-laws and reduce the price of food to the same rate as in other parts of Europe, or we must lose this export trade. If they did not do this, they must alter the value of silver. Time would show which would be done first—but the one or the other must be done. The right hon. Gentleman the Vice-President of the Board of Trade lamented that the riches of the country increased whilst the majority of the people were becoming poorer. Could he be surprised at this? He said that this was an unnatural state. Every one looked through spectacles of the wrong material—some looked through Tory spectacles, others through Whig spectacles, and others through Radical spectacles, but none looked through natural spectacles. If time would alter the opinion of the right hon. Baronet—if the right hon. Baronet would become what he called natural—if the right hon. Baronet would see that the price of food and the price of silver should bear some proportion in England to its price in the rest of Europe, England would once again be merry England and happy England; Englishmen would no longer be reduced to the state of paupers in workhouses, but would be able to exclaim with *Richard*—

> "Now is the winter of our discontent
> Made glorious summer by this *Tamworth* sun,
> And all the clouds that lowered upon our house
> In the deep bosom of the ocean buried."

Sir *John Hanmer* objected to the motion, on account of its entire want of practical character; because in terms it proposed a vote of censure on the Government, which intention in his speech the noble Lord was most anxious to disclaim; and it was evident that neither he nor any of his friends were prepared with a course of action, in the event (which it was, however, impossible to anticipate) of his motion being carried. Still he did not wish to give his vote against the motion, under the present circumstances of the country, without expressing his opinion that much good might proceed from legislative as well as from administrative measures. He was aware of the difficulty which had been found in the adjustment of foreign treaties, and of the reserve which it was proper for the Government to maintain up to a certain point regarding them. Yet it was too much that this country should be baffled year after year in those affairs, and that the policy of a country like Portugal should actually produce as it had done, a great defalcation in the English revenue. He would not press upon the Government improperly, in matters which were delicate to handle; but still he would urge the great necessity of the completion of those outstanding negotiations, especially the treaty with Brazil. Sugar and silk were two articles on which it had been admitted that reduction of duty was in itself desirable; independently of the farther use which might be made of them in the adjustment of foreign treaties. He trusted that the great article of sugar would be soon dealt with, that the Government would find it consistent with their duty to take measures for putting it on a better basis in the course of this year. As to silk, use might be nade of that in adjusting the French treaty, which he urged upon the Government to press on; and he hoped that if Portugal continued in her present impracticable temper and condition, such arrangements would be made as to the admission of French wines, and generally as to a French treaty, as would settle the pretensions of Portugal to supply us exclusively for the future. But the noble Lord opposite ought not to object too much to the want of completion of these things; for his Colleague, the noble Lord, the Member for Tiverton, knew well their difficulty; and though he thanked the noble Lord for the great attention which it was well known he had paid for ten years to the subject of commercial treaties yet he had left a large legacy of them unsettled to his successor. With regard to the Corn-law, he differed from some on that side of the House; and he repeated what he had said last year, that it would be most beneficial to the country that we should come to a settlement of that question on the principle of a moderate fixed duty. He dealt in assertion as to this, in the present debate, which it would be improper to prolong by extended argument on so many things; he would be ready to argue it at a more desirable time. But he desired to impress upon the House and upon the Government, that time was passing by, that there was a great vague abstract idea spreading through the country, which, like all abstract ideas, was passionately grasped by the people in their misery, that all taxes upon food should be abolished. If that were the case, what was to become of the revenue?

The longer they delayed the settlement of the question upon a principle harmonious with that on which they had acted successfully in so many cases, the greater the difficulty would be found of levying any duty at all on articles of consumption. They had a proof of this last night, in the letter which the late President of the Board of Trade had found cause to write, and which had been read by the Member for Winchester: he entirely agreed in the view taken by the right hon. Gentleman (Mr. Labouchere) upon that subject, But forseeing what would arise if this feeling against levying any duty on articles of consumption was not allayed by the institution of moderate fixed rates, favourable to consumption, and favourable to commerce and employment, he urged the necessity of such an arrangement, and it mattered not in what capacity he did so; for he would do it equally, as a Member of Parliament, bound to consider all the various and complicated interests of the country, as the representative of a great commercial constituency, or as a landowner, interested to the whole extent of his fortune in land. They talked of "complicated interests," which it was difficult to reconcile; but he implored them not to make doubly complex the interests of the country by introducing into their arrangement eccentric forces, which would do nothing but disturb. The inexpedient character of the motion of the noble Lord had been illustrated early in the debate. What would be the result of an open committee of the whole House, in which questions were mooted, such as that which had been annexed by way of amendment by the right hon. Member for Knaresborough? It was lamentable, considering that any words spoken there were looked to throughout the country, and that there went a certain degree of authority with them, that any one should be found, as there had been in either House of Parliament, seriously to advance the opinion that machinery, looked at as a man of common sense should look at it, was an evil, and ought to be taxed. It was impossible to regard the multiplied and manifold contrivances of mechanical skill, which were the characteristic of the present day, without being impressed with the belief, that their development was the especial work of Providence; and if they would only act up to the height of that great argument, they would find machinery to be a blessing and no curse. But in order to do that, they must enlarge their boundaries—they must resolve to continue a great commercial people—they must regard all the nations of the earth as their customers—and by their policy they must make them so. They must use every effort to cause consumption to be unrestrained, and they must believe that the prosperity of the home and foreign market, was identical, that the home was linked with the foreign trade. He was opposed to organic changes; but looking at the present condition of the country, he foresaw that if it were not remedied, if the matters which he advocated were not touched upon, and a beneficial alteration made in those respects, that other changes would be pressed forward with a force which it might be difficult to withstand. It would be withstood no doubt; but how would the country, weak from such exertions, find itself then better able to deal with hostile tariffs and the jealousy of other nations? He would, therefore combine the vote he would give against the motion of the noble Lord, with the expression of his decided opinion, that if they wished to avoid future and remedy present evils, they must look to the extension of the commerce of the country—they must get rid of that old fallacy of protection which was at the bottom of so many disasters; and he trusted that on the fair stream of commerce the sails of England would long be set and her star prevail.

Mr. *P. M. Stewart* thought it had been admitted that there was at the presen moment an unprecedented degree of distress: there was but one exception, which was in the speech of the right hon. Baronet, the Home Secretary, last night, when he attempted to explain away some of the statements of that distress. He had eminently failed in doing so, and remembering a similar attempt made eighteen months ago, when petitions of distress were presented, he (Mr. Stewart) was surprised that the right hon. Secretary should again have ventured on such a course. The national interests were in a state of the most complete prostration, our ships were decaying in our harbours, our manufactures were deteriorating in our warehouses, and our people, though willing to work, were stalking about in idleness and poverty, in the midst of the bounties of nature. With such a state of things in existence, how could the House refuse its sanction to this motion; how could hon. Members, the representatives of this deeply distressed people content themselves with sitting in their seats, awaiting the arrival of any aid which Povidence might send them. He said this because, notwithstanding the admission of the existing distresses of the people, the Government had come forward withno specific measure for their relief. The right hon. Gentleman, the Vice-President of the Board of Trade had all but seconded the motion of the noble Lord; for what was the amount of the variegated speech which he had delivered? He said,

> "I agree in the existence of that general distress which the noble Lord had so fully and feelingly described, and which is the basis of this motion; I agree also in the remedy pointed out by the noble Lord—namely, the extension of the means for the employment of labour; but my objection is, that the noble Lord has not stated any specific remedy for the evils which undoubtedly exist, and on this ground I oppose the motion as being indefinite and useless."

But was that a valid objection? They had had motions for committees on agricultural distress, on the distresses of the commercial and the shipping interests, but were those motions ever rejected because the mover did not specify the precise remedy which he wished to apply? The only questions were these: did that distress really exist which was said to prevail? and was there a remedy in preparation for the relief of that distress? And, if there was not, he maintained that the noble Lord was entitled, in accordance with the duty of this House, to the inquiry which he sought to obtain. The motion, in its form, embodied both the cause and the effect. The distresses which existed, were the result of the difficulties which were felt in procuring the necessaries of life. If the distress which was alleged did not exist, any inquiry into its nature or its causes was unnecessary; but if the country was in a prosperous state, what was the cause of that depression in the revenue which was so deeply deplored? He thought, that among many others, there were three proximate causes for the difficulties which now existed throughout the country—causes which were within the power and reach of that House, and which it was their duty to consider and dispose of. The first was the artificial price given to articles which were consumed by the poor; the second was the high taxation upon those articles of consumption. The noble Lord, the Member for Sunderland, in moving for the committee, had barred taxation as a cause of the distress; but he must have intended to refer to taxation in the aggregate, while he (Mr. Stewart) alluded to taxation on articles of consumption by the poor. The third cause was the frequent interruption of the industry of the people, and the fluctuations of trade, caused very much by the strife of tariffs, and the caprice of the sliding-scale. But they were told that, in spite of the tariff and the Corn-laws, the country had enjoyed a season of prosperity, and on this was grounded the justification of our commercial policy. But to what, in fact, did this amount? Owing sometimes to an abundant harvest, which could not be prevented, there had been a season of prosperity; and, in consequence, an increased demand for labour. He would go no further back than to two years of noted prosperity which this country had enjoyed, perhaps the only two such during the last thirty years, to show the fallacy of all conclusions drawn from such premises. The years 1825 and 1836 were admitted to be years of prosperity. The characteristics of those years were these: they were preceded by seasons of abundance, and each of them was followed by foreign loans; in 1825, to South America; in 1836, to North America; and the melancholy result of these loans was too well known to be now stated. A great portion of these loans being invested in our own manufactures, caused a temporary demand on the industry of the people of this country, and a prosperity for the moment, but too hollow to endure; and so he maintained it would be again if too much reliance was placed upon the temporary prosperity which had lately taken place. But he thought, that we were in a fair way of altering our commercial system for the better. The right hon. Gentleman, the Vice-President of the Board of Trade, had said, with respect to the Corn-laws, that if he were asked who were most interested in their being upheld, he should say the agricultural labourers; because he thought, that, in any further alteration which might be made, the agricultural interests would be the most cast down. That, however, was the proposition which on his (Mr. Stewart's) side of the House was denied; and it was denied also by most of the practical Scottish farmers of the present day, to whom none, he believed, were superior. They said, that the agriculturists had no interests which were separable from the manufacturing interests of the country; and it had been admitted by the right hon. Baronet, the Secretary for the Home Department, as well as the right hon. Baronet at the head of the Government, that the best security which the agricultural interests could find, was in the commercial prosperity of the country. The right hon. Gentleman had spoken of the temporary nature of the measures.

Mr. *Gladstone* begged to set the hon. Member right. He had argued, that it was perfectly possible that measures might rest on arguments, all of which might be good for the time, although some of them might be permanent, and some of them temporary.

Mr. *P. M. Stewart:* In a war of words that explanation might serve, but whether the measure were temporary, or the argument were temporary, he maintained that the vice of the present Corn-laws was as great as that which had preceded it. This was made manifest by the heavy importation of nearly 2,000,000 quarters of wheat just as our farmers were securing the late abundant harvest, and the explanations attempted by the right hon, Baronet, the Member for Tamworth, on this point, were, in the minds of all practical men, utterly unsound and untenable. With regard to the argument of the right hon. Gentleman upon the subject of the shipping interests, the right hon. Gentleman had said, that the distresses of those interests proceeded from the cessation of emigration to Australia. He begged the right hon. Gentleman to hold to this view of the question, and to consider whether, in the present state of the population of this country, and of the acknowledged want of population in our colonies, there was not a vast field presented wherein, by a good and sound system of emigration, much might be done towards relieving the distresses of our people at home, and towards contributing to the strength and power of our colonial possessions. The right hon. Gentleman had also spoken of the hostility of tariffs as an argument against further legislation in the direction of free-trade. Whether the right hon. Gentleman had seen an article which had appeared in the *Foreign and Colonial Review* on the commercial policy of this country he knew not, but it was, in many respects, so like the speech delivered by the right hon. Gentleman the other evening, that he could not help recommending him to peruse it. It contained a paragraph relating to hostile tariffs, which he would read to the House. It was as follows:—

> "Without anticipating experience, but while awaiting its instructions, we rest for the present in the confident belief that England, with courage and consistency, will succeed, and that ere long, in imparting to other nations much of the tone of her own commercial legislation; and that, in despite of her burthens and disadvantages, she will maintain her commercial position among the nations of the world, provided only she can also maintain, or rather also elevate, the moral and spiritual life of her own children, within her borders. It is in the creature man, such as God has made him in this island, that the moving cause of our commercial pre-eminence is to be found,"

There was no apprehension of hostile tariffs in the mind of the writer, he thought, when he wrote this, and by the closest possible analogy, there ought to be no fears in the mind of the right hon. Gentleman. There was one other point in the speech of the right hon. Gentleman to which he would refer. The right hon. Gentleman had spoken with good Christian feeling of the vast accumulations of wealth which were made by individuals in certain classes of society as contrasted with the melancholy increase of poverty throughout other more numerous classes, and he thought that the subject was well worthy the further attention of the Government. It was no new question; it had been often discussed by some of our ablest politicians and moralists, and was well deserving our most serious attention. When he had heard that part of the speech of the right hon. Gentleman, he remembered at once the expression of similar sentiments, by a favourite writer of his country, he meant Dugald Stewart, who said—

> "How ineffectual are all our efforts to preserve the morals of a people, if the laws which regulate the political order, doom the one-half of mankind to indigence, and the other half to be the slaves of all the follies and vices which result from the insolence of rank and the selfishness of opulence. Suppose for a moment that the inordinate accumulation of wealth in the hands of individuals, which we everywhere meet with in modern Europe, were gradually diminished by abolishing the law of entails, and by establishing a perfect freedom of in-

dustry, it is almost self-evident that this simple alteration in the order of society, an alteration which has often been demonstrated to be the most effectual, and the most infallible means for promoting the wealth and population of a country, would contribute more than all the labours of moralists to secure the virtues and the happiness of all classes of mankind. It is worthy, too, of remark, that such a plan of reformation does not require for its accomplishment any new or complicated institutions, and therefore does not proceed upon any exaggerated conceptions of the efficacy of human policy; on the contrary, it requires only the gradual abolition of those arbitrary and unjust arrangements by which the order of nature is disturbed."

These were the words of Dugald Stewart, He congratulated the House that such sentiments had been adopted by the right hon. Gentleman, and he hoped that they would be pursued to some practical result, for the prevention of the increase of the evil. A great authority opposite had tated that our capital and the powers of our industrious classes were too great for our competitors. If that were so, he said, let them give those powers and that capital full scope, and then he believed that we should arrive at that point at which we all aimed—the delivery of our population from distress. It had been written by a moralist, " that it was our nature to want and our privilege to ask." This, however, was said, he believed, in reference to higher interests even than those which they were now discussing; but he maintained, and he believed the House would agree with him, that it was not natural that a people such as this nation should be suffering in the midst of plenty; it was not natural—it was not wise—it was not right that the beneficence of the Creator should be obstructed and frustrated by any law of his creatures. What he now asked the Government was, that they should enable the representatives of a distressed people to do away with these hindrances and obstructions to their occupations and comforts; and if they did not by the adoption of this motion or by some measures of their own pursue some course for the deliverance and protection of the people they would incur a heavy and awful responsibility. The hon. Gentlemen opposite, who, on the invocation of the right hon. Baronet the Secretery for the Home Department, were to constitute the great majority by which the motion of the noble Lord the Member for Sunderland was to be negatived, would, he hoped, be able to reconcile the votes they might give to their own consciences when the strife of the debate was over; but they must not be surprised when they returned to their constituents, whose hearts were sick, because their hopes were blighted, if they heard from them the unwelcome truth, " That party is, sometimes, the madness of many, for the gain, only, of the few."

Mr. *Colquhoun* said that the hon. Member who had just sat down had favoured the House with an impressive warning against the heats of party, and the strife of debate; and he thought that, in the latter respect, at least, the hon. Gentleman was, at least, free from blame, for, although the debate had now reached the fourth night of its continuance, the hon. Gentleman had seen or heard little of what had been said, and had, as it appeared to him, much misconceived many of the arguments which had been adduced. The hon. Member could not have heard the hon. Member for Halifax (Mr. C. Wood) perform the duty of commentator upon the text of his noble relative the Member for Sunderland; for the hon. Member who had just sat down urged that an inquiry was necessary in order to derive a remedy from the concentrated and accumulated wisdom of the House. The hon. Gentleman, as well as all the other hon. Members who addressed the House from the opposite side, dwelt on the state of distress, but none of them seemed to agree as to the best mode of removing that distress. A great many suggestions had been made, but hardly two Members recommended the same remedy. The hon. Member for Dumfries has proposed to get rid of the excise and customs, with the view of alleviating the distress. [Mr. *Ewart* had not said anything of the kind.] He of course bowed at once to the denial of the hon. Member, but he found that the observations of the hon. Member had not only been misapprehended by him, but also by the hon. Member for Halifax; and he well remembered the countenance of the right hon. Gentleman the Member for Portsmouth and his action—*tendens ad sidera palmas* protesting against such monstrous opinions being broached in that House, where they were compelled to raise annually fifty millions in taxes for the purpose of paying the interest of the debt and the maintenance of the national establishments. But there was one point which had been dilated upon by the hon.

Member for Wolverhampton, and glanced at by the hon. Member who had just sat down. They said, that "this is a great producing and manufacturing country, and that the difficulty under which we labour is, that we cannot sell our goods to an adequate extent abroad, because we refuse to take from foreign countries a sufficient quantity of their produce." "Open," said hon. Gentlemen opposite, "our portals—remove restrictions—let their produce flow in, and you will then be enabled to return a corresponding amount of your manufactures." Now, he did not mean to enter into a theoretical discussion whether this principle were correct or not, because the body he now addressed—the House of Commons, were, or ought to be, engaged in practical business, devising, if they could, a remedy for the distress which now lay upon the country; and what had been stated to be the origin of the distress? The hon. Member for Birmingham (Mr. Muntz) had to-night ascribed it to the fact, that the English manufacturer could not send his goods abroad to sell them to a profit. Take the iron and cotton trades, for instance, and what was the fact? He would quote the opinions of men engaged in those three trades—men of great practical experience; and what said Mr. Wilson—a gentleman who perhaps did more business in the iron trade than any other man in the kingdom? What did he say as to the practical difficulty of sending iron goods abroad? He stated that it was because if they were sent to the French market they would be liable to a duty of 100 per cent., and if to America to a duty of 21½ per cent. He stated that it was not because he had not returns, but because he could not sell his goods to a profit, in consequence of the tremendous duties levied upon them. Again, Mr. James Thomson, a gentleman well known in the cotton trade, as a most extensive calico printer, remarked, "I cannot send my calicoes abroad, not because I have not returns, but because the duties upon them in France, Germany, and America are so heavy that I cannot sell them to a profit." Now, these were the opinions of practical men dealing with this question. Mr. Thomson went on to add, that he was greatly apprehensive that in consequence of the system of hostile tariffs (which had been so lightly treated by some hon. Members), this country would be completely beaten out of the German and other continental markets by the high duties. Again, Mr. M'Gregor, of the Board of Trade, who might be regarded as a reluctant witness on a matter of this kind, was obliged to admit that our manufactured cottons could not compete in Germany with the manufactures of that country in consequence of the duties, but he added, that we ought to set that country the example of lowering the duty. This country ought not to shut its eyes to the fact, that following whatever course of policy you might, as had been shown by Colonel Torrens in his recent pamphlet, which was quoted last night by his right hon. Friend, (Sir J. Graham) that we met with every impediment to exclude us from foreign markets—that lines of circumvallation had been drawn round Switzerland, (the pattern country of free-trade), France, Germany, and the United States, with the view of establishing, not the principle of protection, but he was sorry to say that of prohibition. Meeting in that House as practical men, for the purpose of carrying out a great scheme of policy, hon. Members must know that they could not expect, by the mere expression of their opinions, to change the rooted conviction of the inhabitants of those countries, who said that they were only following the example set by this country, in affording protection to their own manufactures. On this ground he did not think that we could, with any very sanguine expectations, look to any great extension of our markets on the continent. But what were the causes of the existing distress, which he acknowledged and deplored? Would the House bear with him while he stated one or two facts which developed the real causes? In 1833 a committee was appointed to inquire into the then existing manufacturing distress, and what were the statements made before that committee by the two most intelligent gentlemen,—Mr. Kirkman Finlay, of Glasgow, and Mr. Greg, of Manchester? Those gentlemen distinctly stated that the manufacturers were suffering from competition with the foreigners. The cause of the present distress was overproduction. In 1820 there were only 1,400 power-looms, in 1830 there were 60,000. In 1835, 100,000. In 1835-6 there was an amount of production quite unprecedented, and a vast amount of fictitious capital was afloat. The depressed state of the agricultural interest at that period would be remembered. A vast amount of capital was taken from agricultural purposes and thrown into manufactures, and the effect was to produce in those years an amount of manufactures totally unprecedented. According to Mr. James Wilson's statement, there were 18,000 bags of cotton imported in 1835, and in 1838, after all this production, 24,000 bags. In 1835, 326,000,000lb. were used; in 1838, 460,000,000lb. The noble Lord opposite had alluded to the condition of the town of Sunderland. In that town, to show the vast increase of production in the years 1835, 1836, and 1837, there were built 330 ships; in 1838, 1839, and 1840, there were built nearly double that number,—namely, 648. With such an amount of production, how was it possible to suppose that any market in the world should not be glutted? Numerous speculations and overproduction would always produce the same effect of a great glut and great depression in manufactures. The foreign policy of the noble Lord the late Secretary for Foreign Affairs might have been perfect; he would assume that it was but through his instrumentality our trade with Buenos Ayres with Mexico, with China, with Java, and the coast of Africa had been interrupted. Assume, as he contended, that he had on all occasions vindicated the honour of the British name, yet it was the fact that British trade had been interrupted in all these channels, while, at the same time, our over production was enormous. Instead then of having our channels of foreign trade flowing unimpeded, we had had several of the principal arteries of that trade stopped, and the produce which ought to have passed through them thrown back on this country. He would oppose such a shock to industry as would be produced by a violent change of the Corn-laws, not for the sake of the agriculturists alone, but for the sake of the manufacturers; yes, on their account chiefly, for what was the fact of their dependence upon agricultural prosperity? The value of the produce of manufactures in this country was 180,000,000*l.* per annum, of which 47,000,000*l.* worth went to the foreign market, which was not able or willing to receive more; but 133,000,000*l.* worth of manufacture per annum was taken by the home market, and that market they were about to ruin. What did the Stockport manufacturers say? That the home market was of the utmost consequence to them; that from the state of the home market they had been manufacturing for the foreign market, which they found to be already glutted and oppressed. And now they wanted to force their manufactures on that market already glutted and overlaid. According to Mr. Greg's pamphlet, the effect of the tariff of the right hon. Baronet had been to lower prices 40 per cent. Though he did not agree with him to that extent, no one after that could say that the tariff had done nothing. The prices of agricultural produce had fallen steadily every decade of years since the war; this might force the farmers to the exercise of more skill in husbandry, and in that they would find their account; but, as population increased, prices would again rise, and it might again be necessary to depress the scale of agricultural prices. If it were done as it had been last year by his right hon. Friend, with the same caution, practical wisdom, and attention to the circumstances of the times, it would be done, as it had been, in a way not to shake agricultural interest, and that would be a course the best for the farmer, but, above all, the best for the manufacturer. On the question which peculiar burthen were borne by agriculture, he would not refer to the authority of Adam Smith, but to that of Mr. M'Culloch, of whom the hon. Member for Wolverhampton declared himself the disciple some years ago. Mr. M'Culloch, in the pamphlet which he lately wrote on the Corn-laws, said that it had been stated that land was more heavily taxed than any other species of property in this country; if so, the owners of land were justified in demanding a protecting duty on their produce sufficient to counter-balance these burthens, and this could not be refused to them without sacrificing every principle of justice. Were hon. Gentlemen opposite prepared to declare that land was not more heavily taxed than other descriptions of property? He thought that this could not be done, if it were recollected that the Poor-rates, the Land-tax, and other burthens fell much more heavily on the agricultural than on the manufacturing districts. In conclusion, he could not see any possible advantage that could result from the adoption of the motion of the noble Lord, and it must be productive of the evil of exciting expectations which must end in disappointment.

Mr. *Ewart* (in explanation) said, that he had been accused by the hon. Member (Mr. Colquhoun) of using treasonable language against those venerable institutions, the Boards of Customs and Excise. What he really said was this—that the extension of the principles of Free-trade, combined with the increase of foreign competition, would ultimately have the effect of turning taxation, from articles now paying Customs' and Excise duties, towards accumulated capital; or, in other words of commuting indirect, for more direct, taxation; and he had shown that this opinion had passed through the mind of Mr. Huskisson in the last year of his life, and been expressed by him in the last speech which he had delivered.

Mr. *F. Baring* said, that a good deal of the discussion hitherto had turned, more than he should have thought it possible, on the form of the motion; and he would, therefore, say a few words on that point, before he proceeded to comment upon the substance of that motion, and the arguments which had been brought forward respecting it. As he understood the motion, it arose from this circumstance, that her Majesty having been advised by her Ministers, in her Speech from the Throne, to refer in distinct terms to the great distress prevalent throughout the country, the Government had declared that it was not prepared to propose any measure in consequence of that distress. His noble Friend, being of opinion that there were measures which the Government might and ought to propose, which might meet and mitigate that distress, with the view of calling on the House for its opinion on that subject, had taken the regular and constitutional course of proposing to refer the declaration made by her Majesty to a committee of the House. His noble Friend had not shrunk from stating the opinion he held. He had stated, too, the remedy which he proposed; he declared over and over again his firm conviction that it was a mitigation of the restrictions in our commercial code to which we had to look for a remedy for the distress; and it was this view and this opinion that his noble Friend had in the fairest and frankest manner put before the country, and he was, therefore, much surprised at the mode in which it had been met; no, he was not surprised at it—not by any means, for a long experience of the proceedings of hon. Gentlemen opposite had taught him that they found it more easy to meet the form of a motion like this, than to meet the question itself in a frank, and manly, and open manner. And what was the objection which had been taken to the motion? The right hon. the Vice-President of the Board of Trade had made one speech against it, but this had proved by no means satisfactory to the heads of the Government, and accordingly last night the right hon. Secretary for the Home Department was put up to make what was technically called a stout speech; and a stout speech it was, containing some very extraordinary statements and declarations. In the first place, the right hon. Baronet declared that this motion was nothing but a bit of parliamentary tactics; every body perfectly understood, said the right hon. Baronet, "what the motion means, every body knew it was a motion of want of confidence;" and when the hon. Member for Halifax referred to the motion made by the Paymaster-general in 1830, the right hon. Gentleman said, that was no precedent at all in favour of the view which the noble Member for Sunderland wished to have taken of his present proceeding, for the motion of 1830, said he, was essentially a party motion—a motion of want of confidence, for the purpose of turning out the right hon. Gentlemen who were then in office, and who were now again in office, aided by the right hon. Gentleman himself, which party motion, for which party purposes solely, the right hon. Gentleman declared he had supported; a declaration he (Mr. Baring) would submit not very creditable to the right hon. Gentleman; admitting, as it did, that under cover of a motion as to the distress of the country, he had in reality voted for the purpose of ousting the existing ministry; The right hon. Gentleman had referred to Lord Althorp; but he begged to state that Lord Althorp voted for that motion, because he thought it a fair and right one; stating, in the most distinct terms, that he would not vote for it if it had expressed want of confidence, and so said Mr. Brougham. There was another precedent which he (Mr. Baring) might refer to. In 1834, Lord Chandos brought forward a motion on the distress of the agricultural interest, on the motion that the House should resolve itself into a committee of supply,

"That, in any reduction of the burthens of the country, which it may be practicable to effect by a remission of taxes, due regard should be had to the necessity of relieving at the present period the distressed condition of the agricultural interest adverted to in her Majesty's Speech."

That was a motion in reference to the distress of the agricultural interest, and what did Lord Chandos say when he brought it forward?

"He protested that he was in no way animated by a desire to oppose the Government."

Upon that occasion, a large number of the usual supporters of the Government voted in favour of Lord Chandos and the right hon. Baronet opposite (Sir R. Peel) he saw, expected to be reminded that he voted for it. Every objection which could be taken against the motion of his right hon. Friend was, of course, applicable to that motion, for it was equally indistinct; it was accompanied with no detail, and parties voted for it who held very different opinions on other topics; one strong proof of which was, that both Mr. O'Connell and Mr. Cobbett voted in the minority with the right hon. Baronet. Need he say more upon this mode of meeting the proposition of his right hon. Friend? Every dexterous debater know what kind of arguments might be used upon such occasions like the present; but they were common-place arguments, and he must say that the opponents of the motion had involved the matter in those arguments, because they found it more easy to shirk the question than to meet it. This line of proceeding, had been entered upon by the right hon. Gentleman the Vice-President of the Board of Trade, but had been very soon abandoned by him, and left to the right hon. Secretary for the Home Department, who worked it up in the effective manner in which he always did these things. This was a matter, be it observed, of no small importance to the House; the argument was, that a Member must not bring forward any question of this kind; must not bring forward principles unless he accompanied them with details—unless he proposed specific plans; but the House knew very well, that if the opposition were driven to this—if no independent Member of the House were to bring forward a measure without specifying the details of it—was to be precluded from coming before the House with a principle and asking for its vote, unless he was prepared with full details and plans; why if that were the case, the thing was all over. All discussion might as well be abandoned at once, except of those propositions which Government chose to introduce. The right hon. Gentleman now at the head of affairs, told them when he was out of office, that it was utterly impossible for him to prescribe to the then Government what to do; that it was the business of the Government to suggest remedies. The right hon. Gentleman herein laid down a principle in which he (Mr. Baring) could by no means follow him to the full extent. He conceived that a public man, if he had any remedy to propose—any principle which he could apply, and which he thought calculated to remove the distress of the country, was not to wait till he was called in and had received his fee, but bring his suggestions before the public at once; and this his noble Friend the Member for Sunderland had done, who stated distinctly that he believed a relaxation of our commercial system would relieve and diminish the distress of the country. Having laid down that principle—a principle in which he believed the great body of Gentlemen sitting on that side of the House concurred—no man in his senses could require it of him that he should also come forward with details; details in which it was out of the question to suppose that all his Friends, however united as to the principle, could be agreed, any more than the various Members of a party were agreed upon the details of other principles. The right hon. Gentleman opposite (Mr. Gladstone) had referred to the timber duties; but he (Mr. Baring) had no intention of following him into any of his details on that subject, or to go into any answer to his attack—no reference having been made to the subject by the noble Lord the Member for Sunderland. The right hon. Gentleman had thought proper to open up that question, but it needed no reply. There was this feature in the debate of that night—a feature not common to such discussions—that the facts were admitted on both sides; the facts, that there was very great distress, and that it had continued for a very long time; and the unhappy details of this distress had not, he thought, been more strongly stated on the opposition side of the House than it had been, in all essential points, on the Ministerial benches. The distress was an admitted fact. In speaking of this admitted distress last night, and in answer to the opinion which had been stated, that it had occasioned increased mortality, the right hon. Baronet for the Home Department brought forward some figures to show that the mortality last autumn quarter was less than it had been in previous years. In reference to this deeply interesting point, it was to be borne in mind, that the beneficence of the Great Lord of all, which had been so graciously manifested in an abundant harvest of the last year, was, in reality, the cause which, amid our fearful distress, the mortality of the period in question, had been numerically less than in former similar periods. The House could not but call to mind, that the three preceding years which had been cited by the right hon. Gentleman, were years of high prices; while in the autumn of last year, the price of corn, by God's mercy, was considerably lowered. This was a most important point for consideration, as it showed that, even where there was great distress, where there was admitted want of employment; broken down, as we had been, during the last year, yet the cheapness of provisions had contributed mainly to save the lives of the people. There was another point admitted, the remedy for our difficulties was to be found in opening out new markets for our industry, and that this must be done by a relaxation of our commercial system. It was admitted, by the right hon. Gentleman, and, indeed, by all the Gentlemen opposite, that the principles of commercial freedom were correct. The right hon. Baronet (Sir J. Graham) called them the principles of common sense, and they had heard that night from the hon. Member for Evesham, that they were as old as Adam and Eve. This principle being so old, and being so unhesitatingly admitted to be "the first principle of common sense," were the principles which at this time of general distress, they were calling upon the Government to put into effect. Those principles, however, the Government replied, that they were not ready at present to carry out. All the principles for which he contended had been admitted one after the other, and he was entitled to ask, in consequence of this admission and the distress of the country not being lessened, what reason there was why they should not be acted on? In common with the right hon. Baronet at the head of the Government, the right hon. Baronet (Sir James Graham), and the Vice-President of the Board of Trade had assigned as a reason for not going further, that they had made a large alteration last year, they must pause, and must not interfere with the settlement then made. He would admit that there was some reason in that argument. He would admit that all kinds of changes created difficulties even when they were advantageous. No change could be made in any duties which would not be accompanied by difficulties in some quarters. He admitted these facts; and if he found things were all settled, if he found a calm pervaded the country, he would admit that the right hon. Gentleman ought not again to unsettle things. But were things settled? Was the commercial world settled? If he were not misinformed, there was a total want of confidence in the settlement of the right hon. Gentleman. The prophecy of last year had been completely realised. The right hon. Gentleman had unsettled everything, and had settled nothing. He asked what articles of the tariff were settled? Was there to be no further alteration in our commercial code—was there not a change in preparation in the duty on sugar? He knew no change more likely to be beneficial: none which would be more advantageous to the working classes than a reduction of this duty. Has the House, then, settled the sugar duties? Why, when they passed the tariff last year, they were told not to touch sugar, because the Minister hoped to make the reduction of the sugar duties the means of procuring a more advantageous commercial treaty. [Sir *R. Peel:* Not so]. He was sorry to have misunderstood the right hon. Gentleman. He would not dispute about words; but he believed that the right hon. Gentleman had delayed the reduction of the sugar duties on account of a foreign country. This, however, was not all. Was there not a despatch of some importance sent to Jamaica, in which the noble Lord (Lord Stanley) desired the Legislature of Jamaica to look at the principles acted upon at home, and be prepared to adopt the same principles of Government [Lord *Stanley* dissented.] He understood that despatch to warn the Legislature to set their House in order, for the present prohibition could not be long continued [Lord *Stanley* again dissented]. What? another expression of dissent? It certainly was very difficult to understand what the official Gentlemen of the present Administration were driving at Was he to understand that the announcement to the Jamaica Legislature was that no alteration in the sugar duties was contemplated? That nothing was to be done—that no changes whatever were intended? If that were the case, what was the use of the letter at all? If it was not, what was the use of fencing with words and quibbling about sentences when they very well knew that in some sort of way an alteration was to be made? But if the question was to be adjusted in this way—if all difficulties were to be got over as the noble Lord seemed by his despatch to propose, then he would tell the noble Lord and the Government that the commercial world would not consider the sugar question altered. But were there no other articles respecting which all was uncertainty and confusion? Let him just remind them what was the course of the Government when the tariff was discussed last year. When they came to any important article, there was, perhaps, some discussion on it, and the Gentleman was, perhaps, asked to make an alteration with respect to it. What was the unvarying reply? "Oh! do not press the Government, we cannot touch that article on account of the revenue, or we cannot touch it because treaties are in contemplation which may effect it." There were the articles of butter and cheese, for example; surely, it was said, the duties on these were not defensible, and that as soon as possible a change would be proposed. Well, then, when was this "as soon as possible" to arrive? When was there to be a settlement respecting these unsettled articles? When were commercial men to be placed in such a position that they might calculate to be secure from more change? Might they calculate that something would be done—not in that terribly protracted period, the "revolution of ages"—but in the revolution of one year? Don't let them talk of settling — at present they were unsettling all things; and when they dilated on relaxations of the commercial code, and on establishing new markets, let them consider whether they were not rather unsettling and unhinging than doing any good or acting up to "the principle of common sense." But he had not done with the Government yet. There was a remarkable document—an article attributed to the Vice-President of the Board of Trade, which might have done him some credit if he had not been a Vice-President; but while being a Vice-President he had much better have kept in his own office. In that article, explanatory as it was supposed to be of the Government alterations in the commercial code, and of all the changes which were to take place "as soon as possible," the necessity of more change was admitted. That right hon. Gentleman said, writing of the tariff, that all the articles of our commercial code should undergo revision. That was laid down by the right hon. Gentleman in the broadest manner, and he spoke of the postponement of the sugar duties as one of the omitted articles. Were they then to consider this the principle of action pursued by the Government, that in the House of Commons they did not move a step, but insisted on permanency and inviolability, whilst out of the House, in argument, in debate, or in literature (he supposed he might use the word), there was no objection to state that changes were intended, that there were to be alterations in a great many of the duties "as soon as possible?" But there was another case, and one of deep importance. Had they settled the Corn-laws? He should have no objection to put to any twelve men on the other side, as a jury, on their oath, was the Corn-law settled? It was not settled, nor was it likely to be settled this year, but, perhaps, the next, and certainly before the revolution of ages. Some hon. Gentleman, like the hon. Member for Shrewsbury, took a considerable licence on the subject of the Corn-laws, but there was not, he believed, a single human being who considered the Corn-law settled, or who did not say it must be altered. Go amongst the farmers; they would no longer find any confidence among them in the right hon. Gentleman; and none of them, he would venture to say, believed that the Corn-laws would not be altered. If they asked the farmer, "Are you satisfied with the Corn-laws—they would get various opinions. Some of them are for the sliding-scale, and some for a fixed duty, though the opinions in favour of a fixed duty have much increased, but if they were asked their opinion, they would say that the present Corn-law could not stand, on a second question, whether the present Corn-law was a settlement, that the question was not settled. He believed that

that was the universal feeling of the tenants of England. It was totally different with the farmers when they exerted themselves to place the present Government in power. The farmers might be an unfortunate race; not quick to understand little niceties in expressions; but when they, two years ago, to place this Government in office, ejected the Whigs—they did it because the Whigs had meddled with the Corn-laws; and they placed the right hon. Gentleman in office, under the belief that they were to have a permanence of the old Corn-laws. Right or wrong, whether they were justified or not, the fact was, that there was a universal opinion amongst the farmers that they had not been handsomely dealt with by the right hon. Gentleman and his Colleagues. Could they be surprised then that the most explicit declaration, or what hon. Gentlemen regarded as a most explicit declaration, had failed to produce conviction on the farmers. But were these declarations explicit? It was now found that they were meant to apply to only two or three years, and a change might be made before the revolution of ages. Then came explanations and declarations at the agricultural dinners. The language then was entirely changed, one Member after another had greatly to his astonishment, a thing he had never heard of before, told the farmers that such meetings were not the proper places to introduce politics. What happened next? Hon. Members began to tell the farmers no longer to rely on protection; they were to look to the progress of agricultural improvement, and expect their reward from that. If such was the language of those Gentlemen who were usually called the farmers' friends, and who held very different language before the change, neither the Government nor hon. Gentlemen must be surprised that the farmer remarked the difference in their language, nor surprised that the language used by these speakers had given the impression that further alterations in the Corn-laws would take place. They the farmers had nothing to assure them that the question was settled. Yes, there was one matter which gave consolation, and a hope that the Government would remain firm. Last autumn a very remarkable correspondence appeared,—the velveteen correspondence. He must admit that the present Government had outwritten their predecessors, the velveteen correspondence and the Somnauth proclamation had been the richest address of official literature within his memory. He hoped that the right hon. Gentleman (Mr. Gladstone), who had shown such great literary talent, would take care that this correspondence should be carefully preserved to show posterity how talent could give immortality to a trifle; but as to all the commercial affairs of the country, would any reasonable man say—not to use the word finality, to which the right hon. Baronet had an objection — but could any reasonable man say that there was even a temporary settlement of the Corn-bill, the more one looked into affairs the more one saw that all hinged on the Corn-laws, and there could be nothing but doubt and difficulties in our commerce till it was settled? He would not quote the words of the right hon. Gentleman: for he admitted the possibility of conveying by a word one meaning while another was intended. But he would ask, after what they heard from the right hon. Baronet (Sir R. Peel), on the first night of the Session, and after what had fallen from the right hon. Gentleman (Mr. Gladstone), and after the stout speech of the right hon. Baronet the Home Secretary, who was the great Anti-Corn-law repealer—the very person whose rigid virtue would be the last to give way—after what all these Gentlemen had said, after attending to the language of their supporters, he was perfectly satisfied—and the hon. Gentlemen opposite, too, were perfectly satisfied whether they took a license on the subject like the hon. Member for Shrewsbury—whether they were partial to the sliding-scale or the fixed duty, they were all satisfied though the Minister would not allow any further alteration in the Corn-law this year—that an alteration must be made in the present law. The opinion therefore which he had expressed last year was now confirmed and strengthened by the language of the Government and of their supporters, and he and they were satisfied that the present Corn-law could not be a final settlement. This concerned the most important, the largest, the vital interests of the agricultural classes; and to them it was stated that, not this year, but perhaps the next (not in the revolution of ages), a change must be made. From this time till then would be a constant struggle. He repeated again, that he agreed with the right hon. Gentleman, that if commerce had improved, if the commercial agricultural question were settled, if the measures of last year had restored prosperity, he should say that it was wise to wait some time longer before proposing further alteration ; but when the distress was increasing to overflowing he could not admit that having adopted the measures of last year were a sufficient reason for not now proposing further commercial reforms, when it was admitted on all hands that further relaxations in our restrictive commercial system was the proper remedy for our distress. He was not, however, one of those who expected that any one measure—any one remedy—would at once put an end to all our evils. But he thought that what was admitted to be proper should not be postponed. Neither was he one of those who thought that it was possible to find a remedy for every evil, and, by some legislative means, to get rid of distress altogether. They must consider what is best under existing circumstances, and having considered, act on that opinion. He knew that the motion of his noble Friend would not be carried, but he would at all events relieve his conscience, in protesting against the conduct of the Government in the present state of distress, in taking no measures to relieve it; and in supporting to the best of his ability that proposition which he thought would most contribute to mitigate the evils that all deplored.

The *Chancellor of the Exchequer* said, that he had listened with great attention to the speeches which had been delivered during the progress of this lengthy debate, and he had found great difficulty in discovering either for what special object the motion of the noble Lord had been made, or what course hon. Members opposite intended to pursue in the event of the House agreeing to the formation of a committee to inquire into the present state of the country. He had paid great attention to the speech of the right hon. Gentleman (Mr. F. Baring) who had contributed so much that evening to their amusement, but he was still at a loss to conceive what useful object was contemplated by the motion of the noble Lord. The right hon. Gentleman commenced his Speech by alluding to the form of the motion. He expressed his wish not to speak in terms of disparagement of the forms of the House, for those best conversant with Parliamentary proceedings knew that forms were substantial things, he disclaimed the idea of practising a delusion upon the House. He told them that the motion of the noble Lord was not intended to convey an expression of want of confidence in her Majesty's Ministers, but he did not know by what terms to describe it. It called upon the Government to take into its consideration the distress of the country. Did the right hon. Gentleman consider that the motion could bear any other construction than that which had been put upon it, a motion condemnatory of her Majesty's Ministers? But as the noble Lord and the right hon. Gentleman denied that such could be the effect of the motion, and, at the same time asked them to consider its form, he hoped that the House would accede to the request. What, then, was the resolution ? what were its objects ? and what were the consequences likely to result from it? Did the noble Lord intend in that committee to propose a resolution on the subject of the Corn-laws ? Did the right hon. Member who had last addressed the House intend to propose for the settlement of that question a fixed duty? What section of the House, he would ask, would agree to such a proposition, and what chance had he of carrying such a scheme into effect? Was it the intention of the hon. Member for Halifax to bring forward a motion of his own in relation to the Corn-laws, for the adoption of the committee, not a fixed duty, but a " moderate, reasonable, and small " duty ; or did another section of the House contemplate proposing, not an 8*s*. duty, but a total repeal of all duty ? What would be the effect of their conflicting opinions? Would it not lead to interminable discussion, at least to aggravated discrepancy of opinion? It certainly could not afford any relief to the distress so forcibly depicted by the hon. Member opposite. The right hon. Gentleman's (Mr. Baring) objection to the Government was not having settled the Corn-law question. He said, that the measure of last Session had only produced uncertainty. He would ask hon. Members on the other side of the House, whether they would consider an 8*s*. duty as a satisfactory settlement of the question, or whether any other proposition which they could bring forward in the proposed committee would have that effect? The right hon. Member said, that by objecting to the form of the noble Lord's motion it was the wish of the Government to shirk the question. Why—the motion before the House was shirking the question—it could lead to nothing—it was perfectly indefinite in its character—it was full of conflicting elements. If the question was shirked, it was shirked by the hon. Gentlemen who brought forward and supported such a motion. The motion of the noble Lord was different from the motion of Lord Chandos, which had been referred to that noble Lord proposed by his motion that the duties affecting agriculture should be first considered. He did not call upon the House to go into a vague inquiry, but the motion was intelligible in its character. He defied hon. Members, however, after listening to the speeches that had been addressed to the House on this motion, to point out the first resolution submitted for the consideration of the committee, should the motion be carried. In proportion as he (the Chancellor of the Exchequer) felt for the existence of the distress which prevailed in the country, so was he adverse to the adoption of any proceedings which would have the appearance of insulting that distress by holding out a vain prospect of relief. What was likely to produce more dissatisfaction than a motion of this kind which could not give rise to any satisfactory result? The right hon. Member had said it was at length admitted, that an extension of our manufacturing relationship with foreign markets was most desirable. He had no knowledge of the time when that principle had been denied on that side of the House. He could not call to mind any moment when he and other hon. Members who generally acted with the Government, refused to admit that an extension of our markets for articles of British manufacture, was not likely to be productive of advantages. Certainly, there were many articles to which the late tariff had not applied, but it should be borne in mind, that easy as it was to apply hastily vague notions of "commercial liberality," it was necessary to pay some attention to revenue, and not rashly to remove duties, which while they operated as restrictions on trade, were retained not as restrictions, but as sources of revenue. It would not be prudent to speak inconsiderately of the probability or possibility of particular alterations in commercial regulations; far better would it be for a Ministry to reserve its opinions on such subjects, until they were sufficiently matured to admit of practical developmen and useful application, a different course could only lead to unsettling and uncertainty, of all things the most pernicious to commerce. Nothing, he was persuaded, would tend more to involve this country in additional embarrassments than ill-considered declarations of intentions, or intimations of projected changes. With respect to sugar, the subject on which the right hon. Gentleman had been very energetic, he would reserve his opinions till it came properly before the House; but he could not help congratulating the country on the fact that the price of this necessary article had fallen below that at which even the right hon. Gentleman calculated upon as the result of his proposed budget, and this object had been obtained without the reproach of encouraging the revival of that hateful traffic which it had been for so long the object of the nation, and at such great sacrifices, to suppress. No one could value more than did he (the Chancellor of the Exchequer) the extension of trade; but to that he thought it would be unwise to sacrifice too much; and in our eagerness to promote universal freedom of trade, it would be well to remember financial considerations—so essential to the commerce because so important to the credit, of all trading communities. To the motion of the noble Lord, then, he strongly objected, as tending to nothing definite, and as likely to lead to nothing but injury; as causing uncertainty in every subject at a moment when it was most important not uselessly to disturb and unsettle the country least of all with regard to that new Corn-law, of which (however ungratefully hon. Gentlemen might speak) he felt persuaded, that it had been a great impovement; and as tending to derange the operation, and obstruct the benefit of our new commercial code. On all these grounds, he was convinced the House, acting on its ordinary common-sense views, would reject the motion of the noble Lord.

Debate again adjourned.

House also adjourned.

HOUSE OF LORDS,

Friday, February 17, 1843.

MINUTES.] PETITIONS PRESENTED. By Lord Kenyon, from Llanard, St. Marylebone, Northop, Llandyrnog, Hawarden, Llangynfal, Llanddoget, Pont Bleiddyn, Henllan, Giverucifield, Mold, Llanfawr, and Llanynys, and the Clergy of Liverpool, against the Union of the Sess of St. Asaph and Bangor.

AFFGHAN WAR—THE ARMY—PAPERS.] The Duke of *Wellington* said, he had drawn up the resolutions which he intended to submit to their Lordships on Monday next, and would now lay them on the Table.*

The Duke of *Wellington* then said that he would now communicate to the House the information which he had obtained as to the papers respecting which the noble Marquess opposite (the Marquess of Lansdowne) had last night addressed some questions to him. The noble Lord had asked about certain letters, which he said were not contained in the papers which had been presented to the House, relative to the military operations in Affghanistan. With respect to a letter written by General Pollock, and dated the 13th of May, no such letter was to be found either in the office of the secret committee or at the Board of Control. The noble Marquess also alluded to a letter written by Mr. Clarke, the political agent, and referred to in the Governor-general's letter, to Sir Jasper Nicholls, dated the 14th of May, 1842; he (the Duke of Wellington) had a copy of that letter, and would now lay it on the Table. The noble Marquess had also asked whether there was any letter from General Nott, giving reasons for disobeying orders which he received to evacuate Candahar. No such letter was to be found; nor was it likely that it should, because General Nott, obeyed the Governor-general's orders, dated the 19th of April, as far as related to the evacuation of Khelat-i-Ghilzie. Another noble Marquess (the Marquess of Normanby) had expressed a wish for the production of some proclamations issued by the Governor-general, which, he said, had been laid before the House of Commons. If the noble Marquess wished these documents to be laid before the House, he would recommend him to give notice of a motion for that purpose. The proclamation related entirely to political matters, and he thought it was not desirable to mix up such considerations with the motion for a vote of thanks on account of military operations. He certainly would not enter at all into the political part of the question on Monday next. It was for the noble Marquess to say whether he would call for the papers; but, if he should, he saw no objection to their production.

Lord *Brougham* said, that he might observe, with reference to the letter which General Nott wrote, and to which his noble Friend (the Marquess of Landsdowne) had referred, that it was quite possible that there never was a letter from General Nott giving reasons for disobeying the order to retire from Candahar. Perhaps General Nott had anticipated the order, or had given, before he received it, his reasons for retaining the occupation.

Lord *Wharncliffe*: General Nott did not disobey the order.

The Marquess of *Lansdowne* was obliged to the noble Duke for giving notice of the terms of the motion he intended to make on Monday. As to the letters which he had asked for, he was of course, aware that the Government could not lay upon the Table any documents which they had not in their possession. At the same time the noble Duke must be aware that General Pollock's letter of the 13th of May must necessarily be of great importance, considering the period at which it was written, and it was unfortunate that it was not in the power of Government to put the House in possession of it, because it would have enabled their Lordships to form a more accurate judgment respecting that portion of the operations to which it referred.

The Duke of *Wellington*: I have said that no such letter can be found.

The Marquess of *Lansdowne*: There could be no doubt that the letter was written, or that General Pollock would never have said so; but he implicitly believed the statement of the noble Duke that no such letter was in the possession of the Government, or, as he understood the noble Duke to say, in the possession of the East India Company. That such a letter existed, that it was written at a most critical moment of these operations, and that if it could be produced it would throw light on the operations, no one could doubt who had read the papers before the House. The letter from Mr. Clarke, which the noble Duke had produced, might possibly throw light on this part of the transactions; but with respect to General Nott, he was surprised to hear the noble Baron opposite say that he had not disobeyed the orders he received from the Governor-general. Undoubtedly, General Nott obeyed the orders with respect to the evacuation of Khelat-i-Ghilzie; but did he evacuate Candahar?

Lord *Wharncliffe* said, that General

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* They will be found in the debate of the 20th.

Nott never disobeyed any orders which he received, and he gave his reasons why he had not done so.

The Marquess of *Lansdowne*: Does General Nott give reasons for disobeying the orders he received to evacuate Candahar?

Lord *Wharncliffe*: It is useless to debate this matter now; but I am prepared to show that General Nott did not disobey the orders which he received, and that he himself gives his reasons for not having disobeyed them?

The Marquess of *Lansdowne* said, he had not been prepared to hear from any one that General Nott, having received orders to evacuate Candahar immediately, and not having evacuated it, could be considered as not having disobeyed his orders. His noble Friend, however, had undertaken to show that such was the case, and undoubtedly it would be more convenient to discuss the matter on another occasion. It certainly had occurred to him that, as General Nott evidently had not concurred with the Governor-general respecting the propriety of an immediate evacuation of Candahar, the general must have expressed his reasons for not concurring with the Governor-general. It certainly appeared most extraordinary that not an atom or a fragment of any letter from General Nott upon that subject was to be found. In saying this, he wished it to be understood that he had not the least doubt Government were not in possession of any such letter.

The Queen's Letter.] Lord *Wharncliffe* said, that he had not been prepared to give an answer to the question put to him by his noble Friend (Earl Fitzwilliam) the other evening on the subject of the distribution of funds, collected in consequence of the Queen's letter, and also by private subscription, for the relief of the distress in the manufacturing districts. He begged leave to say that he did not consider that the Government had anything to do with that question. Nor did he admit that any responsibility devolved upon them in connection with that matter; and, in the denial of this responsibility, he was borne out by all former proceedings. Nevertheless, he was willing to give his noble Friend, all the information in his power, and he had made it his business to inquire, and he could state that the first money that had been raised had been raised entirely by private subscriptions. Afterwards a communication had been made to the heads of the Church, and it had been thought right to issue a Queen's letter. When the money had been raised, the question arose as to who should distribute it. His right hon. Friend at the head of the Home Department, had thought that the best course would be, to placo the funds in the hands of a committee which had existed ever since 1826, and which had been formed originally for the purpose of distributing the funds which had been raised in that year for the relief of the manufacturing population, and which had only just then (March, 1842) close their labours, and presented their report to the subscribers. Certain other persons were joined with the committee, and the distribution of the funds was left entirely to them. The amount collected by private subscription was 25,000*l.*, and about 75,000*l.* had been collected in consequence of the Queen's letter. The whole had not yet been expended but that portion which had been distributed had been spread over all the manufacturing districts of the empire. Scotland, Yorkshire, Staffordshire, Warwickshire, Gloucestershire—in short, all the manufacturing counties had received a portion of the funds. In all, 63,000*l.* had been actually expended, and the remainder had been invested in Exchequer-bills.

Earl *Fitzwilliam* felt must satisfaction at the candid explanation of the noble Lord, and although the noble Lord seemed to doubt the right of Parliament to make any inquiry with respect to money raised as this had been, still it must be a gratification to himself, as it was to the House, to be enabled to make such a statement. He was glad that the distress of the people had been so far alleviated, but he hoped that whoever advised the issuing of a Queen's letter would, to use an old proverb, "look twice" before they again sanctioned such a proceeding.

Adjourned to Monday.

HOUSE OF COMMONS,

Friday February 17, 1843.

Minutes.] Bills. *Public.*—1°· Coroner's Inquests. 2°· Forged Exchequer Bills; Personation of Voters.

Petitions Presented. By the Chancellor of the Exchequer, from Cambridge, against the Union of the Sees of St. Asaph and Bangor.—By Lord Eliot, and Mr. Hughes, from Bangor, Ceido, Llandudwen, Menai, Eifionydd, Llangeinwen, Llanfihangel, Llanfinan, Llanidan, Llanedwen, Newborough, Llansadwrn, Llaniestyn, Llanbedrgoch, Llanfairmathafarneithaf, Llandegfacum, Beaumaris, Pentraeth, Llandysilio, Llanfairpwllgwyngyll, Llanddona, Aldridge, Archdeaconry of Cornwall, Hereford, Winchester, Penmynydd, and University of Cambridge, against the Union of the Sees of Bangor and St. Asaph.—By Mr. T. S. Duncombe, from St. Luke's, Middlesex, St. Ann's, Soho, St. Pancras, St. George, Southwark, London, Camberwell, Islington, St. George, Bloomsbury, Somers Town, Sheffield, Failsworth, Nottingham, and Leeds, for Inquiry into the Proceedings of the late Special Commission.—By Mr. Ward, from Bishops Stortford, for the Total and Immediate Repeal of the Corn and Provision Laws.—By the Chancellor of the Exchequer, from Montacute, and by other hon. Members, from St. James's, Bermondsey, and St. George's, Camberwell, for Church Extension.—By Mr. Ward, from Bishops Stortford, for the Repeal of the Property Tax.—By an hon. Member, from Beverley, for Exempting from the Property Tax the Common Pastures within that Borough; and from Lincoln, for Allowance of Duties on Wine Stock in hand.

EXCESSES AT ISTALIF.] Mr. *V. Smith* said, that he was desirous of asking a question of the right hon. Baronet relative to the papers on Affghanistan. The right hon. Baronet was probably aware that there appeared among those papers only two despatches from General M'Caskill bearing on the capture of Istalif. He (Mr. V. Smith) was desirous of knowing whether her Majesty's Government were in possession of other information, or whether they could take it on their own responsibility to say what foundation there was for a report of cruelties said to have been committed on that occasion by our troops? The report had been directly alluded to in the Indian papers. There was nothing in General M'Caskill's despatches either to confirm or contradict the report. The statements in the Indian papers, said to have been given by a high witness, was to the effect that not a single person had escaped, either with or without arms. He should be glad if the right hon. Baronet had it his power to contradict the report.

Sir *R. Peel* regretted that he had not received notice that such a question would be asked. He had understood that on that occasion 500 women were in possession of our soldiers, and were treated by them with exemplary kindness. He had no recollection of having ever read or heard of the report to which the hon. Gentleman alluded.

Mr. *V. Smith* had thought, that every one must have heard of the statement. It appeared in the Indian papers, and was copied into all the London papers. It was there stated that the women and children were saved, which, however, would be but poor mercy if their fathers and husbands had all been put to the sword. The noble Lord the Secretary for the Colonies had also referred to the report the other night.

Sir *R. Peel* said, that as far as his memory served him, Government had received no information that could at all countenance such a report. Had the hon. Gentleman, however, given notice of his question, he (Sir R. Peel) would have made himself master of the subject. As far as he recollected he believed he could take upon himself to give upon himself to give the most unqualified contradiction to the report.

Lord *Stanley*, in anything he might have said a few evenings ago, had had no intention to refer to any such report as was now alluded to. He had stated that, in one or two cases, excesses had been committed; but he had spoken generally, and without allusion to any particular case.

AFFGHANISTAN — PAPERS.] Viscount *Palmerston* was desirous of putting a question to the right hon. Baronet at the head of her Majesty's Government, relative to the Indian despatches. At page 223 there was a letter from Mr. Maddock to Major-general Nott, dated Benares, the 19th of April, directing him to evacuate Candahar, and take up a new position at Quettah. No answer to this letter appeared in any part of the papers, and he (Viscount Palmerston) wished to know whether the Government were not in possession of any such answer? At page 252, there was a despatch from the Governor-general to Sir Jasper Nicholls, dated Allahabad, the 14th of May, in which mention was made of a letter from Mr. Clarke, that did not appear in the papers. Were her Majesty's Government in possession of that letter? At page 296 there was a despatch from Major-general Pollock to Mr. Maddock, dated Jellalabad, the 20th of May, in which reference is made to a preceding letter in these terms:—"I have already in my letter dated the 13th instant, entered on the subject, and must receive a reply before I shall be able to move." This letter of the 13th of May did not appear among the papers.

Sir *R. Peel* was prepared to ans w these questions, though he had received no notice of the noble Lord's intention to put them. The noble Lord had asked him three questions. He did not recollect the order in which the noble Lord had put them, but he would give the answers as they occurred to him. First, with respect to the supposed omission of a letter from General Nott addressed to Mr. Maddock, referring to the receipt of an order from Lord Ellenborough, dated the 19th of March, 1842. That letter would be found in page 309 of the printed volume, numbered 371. That letter must be the one the noble Lord referred to, and the noble Lord was therefore under a misapprehension when he supposed that the acknowledgment of the order was not given. The second question was, whether or not certain letters, referred to in a communication from Lord Ellenborough, addressed to Sir Jasper Nicolls, and numbered 300 in the printed papers, had been received, and, if received, why they had not been produced? Certainly they had not been produced, but he held them in his hand, and now laid them on the Table. With them also was a letter from General Pollock, which the noble Lord had not inquired for, but which he (Sir R. Peel) would take this opportunity of also laying on the Table. With respect to the third question, as to the letter from General Pollock, of the 13th May, 1842, mentioned in the letter of the 20th May, the Government had no traces whatever of any such letter. They had sent this morning to the India House, to inquire whether it had been received there, but there also no letter of that date could be discovered. To what the disappearance of the letter might have been owing it was impossible to say; all he could say was, that the Government had never received any such letter, that no trace of it could be discovered, either at the Board of Control or the India House; and never having received it, of course he could not produce it.

FORGED EXCHEQUER-BILLS.] Mr. *Kemble* asked the Chancellor of the Exchequer to explain what course the Government intended to take with respect to the payment of the interest on the forged Exchequer-bills?

The *Chancellor of the Exchequer* said, it was his intention that interest should be paid to the holders of the bills from the time at which the last payment of interest had been made. But there must be a settlement in each individual case. Some persons had received these bills in deposit, and had paid no premium on them, so, of course, the amount of premium at the time the bills were received must be deducted in all such cases from the arrears of interest due.

DISTRESS OF THE COUNTRY—ADJOURNED DEBATE (FIFTH-DAY).] The Order of the Day for the adjourned debate having been read,

Sir *A. L. Hay* considered it his duty to say a few words in explanation of the vote he was about to give. It appeared to him that a more extraordinary debate than that which was now going on on the noble Lord's motion, had never taken place in that House. Had he not been acquainted with the relative position of parties, had he not known that the noble Lord was now in Opposition, he should have thought that the noble Lord was, as a Member of the Government, proposing a motion to carry out the wishes expressed in the Speech from the Throne. It had been alleged that this was a motion brought forward for mere party purposes, but he trusted that a British House of Commons would not so treat a question which concerned the state of the country. No man who knew the relative strength of the parties, and the great majority possessed by the present Government in both Houses, could, for a moment, suppose that the noble Lord, in bringing forward this motion, had the slightest intention or hope of overthrowing the Government. Was such a charge then fair, when the only object of the noble Lord was the relief of the national distress? He, for one, did not support the motion with any party view, his object was to get the Government to inquire into the present unparalleled distress, and, if possible, to find a remedy. He could declare, that in the northern part of the island, from which he came, there was the greatest distress even among the agricultural population, and there was a general impression among the farmers, that it would be better to have the Corn-laws repealed at once, as they would be certain of the permanency of that arrangement. It might be asserted that this was a party motion, but the people would see through such sophistry. They would see that there were still some men in that House willing to redress their grievances. It was not necessary that he should trouble the House at much length after the incomparable speech made on the previous evening by the right hon. Member for Portsmouth. The right hon. Baronet at the head of the Government had promised not to alter the Corn-law during the present Session. Did he mean to wait until the completion of the collection of the most odious tax ever levied on the people of England? He did hope that before the conclusion of the debate they should hear something more satisfactory from the right hon. Baronet at the head of the Government.

The right hon. Baronet the Secretary for the Home Department had admitted the increase of the population, that that population must be supported by wages, and that wages could only come from profits, but the fact was, that now they had the increase of population, without either wages, profits, or demand. The hon. Member concluded by expressing his hope that the Government would do something for a patient, loyal, but most unfortunate people.

Mr. *Rashleigh* considered this as a mere party motion, and not one for the relief of the national distress. He had been sent there by a numerous and important constituency to support her Majesty's Government, and believing that the motion of the noble Lord was intended as an impediment in the way of that Government, it should have his oppositon.

Captain *Layard* said, he had long been anxious to speak, but he had not until now been able to catch the Speaker's eye, whose brilliancy regulated the volubility of hon. Members. The hon. Member for Evesham had made a speech in favour of a protective duty, though he admitted that the principle of a free exchange was the principle on which mankind had always acted, and the hon. Gentleman had brought forward the example of Adam and Eve, in the garden of Eden, making an exchange of a rose. But he would not have risen at all were it not for the speech of the right hon. Gentleman the Vice-President of the Board of Trade, who brought forward opinions and facts which would do more for free-trade than any other speech he had heard. That speech had convinced him. The right hon. Gentleman had said that the present law was only "temporary," though he had afterwards endeavoured to explain away the word. [Mr. *Gladstone* had not endeavoured to explain away the word.] Whatever was the intention of the right hon. Gentleman, he used the word "temporary," and he turned round at the time to know what impression it produced, but he found it was not at all received with satisfaction. The right hon. Gentleman had endeavoured to explain it away by saying that "temporary" meant centuries. It was evident that the party opposite were divided among themselves, and many of them, who had formerly placed their confidence in the right hon. Baronet at the head of the Government, disapproved of the course he had last year taken. He had not heard one speech on the other side in this debate that showed any consistency, except that delivered last night by the hon. Member for Bridport (Mr. B. Cochrane.) That speech showed honesty of purpose, good talents, great industry, and much consistency in that hon. Gentleman, with whom he agreed in no opinion on this subject, save that which he expressed when he declared that no good whatever resulted from the changes of last year. The country was on the brink of a precipice, and they ought to take warning by what had happened in the manufacturing districts last year. He felt convinced that nothing but the intensity of the distress had occasioned the outbreak of last year, and it clearly was the duty of the House to endeavour to discover some remedy for that distress.

Mr. *Blackstone* hoped that his hon. Friend the Member for Knaresborough would withdraw his amendment; for much as he might go along with his hon. Friend in the views he entertained as to the evils of machinery, he thought that if his amendment were carried, it would be most inconvenient. If, however, his hon. Friend would make a substantive motion for a select committee to inquire into the subject, he would give to it his support. He must equally oppose the motion of the noble Lord the Member for Sunderland, as in his opinion it would lead to no useful result; but he felt bound to announce, that in opposing the motion of the noble Lord he did not do it on that occasion with a view of expressing reliance on the measures of her Majesty's Administration. He felt it his duty in the last Session of Parliament to offer opposition to some of the measures of the Government. He then told the right hon. Baronet, in the face of that House, that if the measures he brought forward were such as would tend to alleviate the unparalleled distress in the manufacturing districts, he would have made ample concession on his part, and those who sent him to that House concurred in his view; but he did venture to predict that the operation of the New Corn-law would not only not tend to alleviate the distress of the manufacturing districts, but would add to them considerable difficulties and embarrassments in the agricultural districts; and, as far as that measure had at present proceeded, it had fully borne out his prediction. He had listened with much attention to the speeches of several Members of the Administration. He had listened with painful attention to the statement of the right hon. Baronet on the first night of the Session. He had hoped at that time that it was not the intention of the right hon. Baronet to make any further change in the Corn-laws or any other measure connected with agricultural produce, and that Speech had been of considerable benefit in allaying the feverish state of the market, as a proof of which he would mention, that at his own market a very intelligent farmer told him that the speech of the right hon. Baronet had resuscitated the confidence of the farmers, and that wheat had risen 4*s.* per quarter. But he felt bound to say, that the opening speech of the right hon. Gentleman the Vice-President of the Board of Trade he must consider as rather ambiguous and somewhat equivocal. He thought it was a speech that did not tend to allay any feverish excitement on the part of dealers in corn in this country. That speech, however, was somewhat contrasted in effect with that of the right hon. Baronet the Home Secretary; but, even then, there were some expressions in the speech of the noble Lord the Secretary for the Colonies that would tend not to allay alarm. He alluded to the announcement made the other night by the noble Lord, declaring the intention of Government to introduce American wheat in the shape of flour, through Canada, he supposed, at a nominal duty. That was a question which he would not then discuss, but whenever it was brought forward, he should give it his opposition. The announcement, however, would operate very disadvantageously in the agricultural markets, by the anticipation of such a measure. But from the latter part of the speech of the right hon. Gentleman the Vice-President of the Board of Trade it seemed to him that the right hon. Gentleman made an intimation that he had offered to all foreign Powers to co-operate with him in free-trade, but that they had met him with hostile tariffs. And then the right hon. Gentleman went on to say—and in which he thought the right hon. Gentleman must have made some considerable error—that with respect to the prices of agricultural produce, he did not think they could be ascribed to the measures of last year, and that it had, indeed, produced only a slight effect upon the price of corn. Did the right hon. Gentleman persist in stating that merely a slight effect on the price of corn had been produced? Why, he would refer to the *Mark-lane Gazette*, and there he found that on the 14th of February, 1842, the price of wheat was quoted at 61*s.* 10*d.*; on the 16th of February, 1843, it was 48*s.* 1*d.* Would the right hon. Gentleman persist, then, in stating that the effect on the price of corn had been but slight? Perhaps the right hon. Gentleman said it was not on account of the new measure, but from the very abundant and beneficent harvest with which this country had been blessed; but, in the face of that, what was the importation of wheat to swamp the home market? More than 2,632,000 quarters of wheat, and nearly 1,000,000 cwt., of flour. He, therefore, did not oppose the motion from any peculiar confidence in the Government; and he could assure the Government, that although the farmers were a slow body to move, they were alive to their own interests, and that there was a sullen feeling amongst them, which would be soon aroused unless more attention was paid to their remonstrances.

Mr. *Mark Philips* had regretted to observe the asperities that had been introduced into the debate. He thought it was desirable, in a discussion of this kind, that hon. Members should confine themselves to facts; and having stated their own feelings, to leave the public to draw their conclusions. An attack had been made upon a relative of his by the hon. Member for Knaresborough, which was most unfounded; and he could only wonder that any one should venture to cast such imputations upon a Gentleman, who, wherever he was known, was respected. That gentleman would never have appeared in this House as the representative of a numerous constituency, who had voluntarily elected him in his absence, had he been capable of tyrannising over the young people in his employ, as represented by the hon. Member for Knaresborough. He now begged to read a letter from that individual, Mr. Greg, in answer to the charge which had been brought against him.

The *Speaker* interrupted the hon. Member, and informed him, that he would not be in order if he read any letter referring to a speech made by an hon. Member in that House.

Mr. *Mark Philips* said, that as he was debarred from reading the letter, he would make a general statement in conformity with its contents. Mr. Greg gave his most unqualified contradiction to the statements of the hon. Member, which were utterly without foundation. It would be impossible to for any one to show a single instance of harsh treatment, much less of cruelty in the mill, during a period of sixty years. The mill had been incorrectly described in some of the newspapers: it was situated in a retired part of Chester, and was called Quarry Bank Mill, and was a mill worked by water power. The hon. Member for Knaresborough had accused the manufacturers of having recently had recourse to the system of apprentices, but that system was an old one. Formerly there were eighty or ninety apprentices, but now the number did not exceed forty. Some of these came from a workhouse in Liverpool, and some from the workhouse of Newbury in Berkshire. These children were carefully educated, as he himself could testify; and there was not a better conducted or more intelligent set of persons of that class in the kingdom. During the riots, not one of these people took part in the disturbances of that district, although they were turned out of their employ by the mobs which came from other parts, and compelled them to leave off work. The charge of over-working was entirely unfounded: there never had been a single complaint against the proprietors of the mill, either under the old Apprentice Act or the new system. The maintenance of the young people cost 5*s*. 6*d*. a week each, and their ages varied from nine to eighteen. They had five meals a day; and when sick, they were attended by a gentleman who was the physician to the family of the proprietor. Visitors came from Newbury and from Liverpool, and had always expressed themselves satisfied with the treatment of the children; and, in fact, there were numerous applications from those places to get the same employment for other children. When any one came to see the children, admittance was always given, and when their relatives came a half-holiday was granted. Any one who chose to go to the establishment, might be satisfied on the spot of the assertions he was then making. The fact was, that these charges had been made against Mr. Greg because he had taken an honest course in regard to the Ten Hours bill, and had pointed out the evils that would arise to the working-classes themselves from its adoption. He would advise the hon. Member for Knaresborough to be more cautious for the future in using the information he received, and which was not always to be depended upon, even when accompanied by the most solemn asseverations. If the hon. Member for Knaresborough would go to the spot, he might satisfy himself that there was no foundation whatsoever for the aspersions he had cast upon an individual, who was one of the most respectable and deserving of that much abused body, the manufacturers of England. He was sorry to have detained the House so long upon a personal matter, and he would now offer a few observations upon the question that was agitating the country. He wished he could concur with the right hon. Gentleman in believing that substantial relief was at hand. Since the commencement of the present Session, the state of trade in the district with which he was connected had, week by week, become less satisfactory. The prices sent to him from Manchester, exhibited a downward tendency, which conveyed to his mind the most serious apprehensions. The trade of the last year was affected by the disturbances which took place in August. Not less than a million and a half of pieces of calico or shirtings had, as it were, been abstracted from the market, in consequence of those disturbances; that was to say, if the disturbances had not occurred, a million and a half more pieces would have been produced, and notwithstanding that the market was unable to take off what was produced. That was the case with manufactured goods. In cotton twist, he believed there was at the present moment a trifling advance over the lowest prices of last year. He feared much disappointment would ensue if the manufacturers looked for much advantage from the opening of the communication with China. The exports to China had lately been on so extended a scale, that he feared it would be found there would be little increase in the demand for British manufactured goods; and he should be glad if he could urge caution upon the manufacturers, before they committed themselves to any extensive transactions. If he were connected with the foreign trade, he should not be disposed to speculate. He traced a vast amount of the distress to the circumstance of the people having been compelled for a series of years to pay more for their food than it was possible for them to pay. The right hon. Baronet had expressed his wish to keep the price of wheat at about 56*s*.;

but he thought if the hon. Gentleman would calculate how much over 56*s*. per quarter the operatives had been paying for their bread, he would find that it was enough to keep them in clothing. If the sliding-scale were to be persevered in, he could only reiterate the opinion which he had from time to time stated in that House, that the trade of the country would permanently decline, and its prosperity totally disappear. He could not join with those who thought that this country produced as much of corn as was necessary for its consumption. It was necessary, therefore, that the restrictions upon the importation of corn should be, as far as possible, removed. It was said, that the continental nations of Europe fenced themselves round with high protecting duties, and that it would be impossible to induce them to retrace their steps. He did not join in that opinion. He believed, that if our restrictive system were wisely relaxed, the inhabitants of the various nations of Europe, seeing that we were capable of supplying them with articles of manufacture at a much cheaper rate than they could produce them themselves, would compel their several governments to make such a remission of their protecting duties, as should admit of a freer introduction of British goods. As matters now stood, we were not only excluded, in a great degree, from the different great markets of Europe, but were rapidly hastening to the point at which, it might be feared, that our greatest and best customers, the Americans, would be led to adopt a similar system of restriction and exclusion, to that which unhappily prevailed upon the Continent. He was satisfied that unless we took this matter into grave consideration, and hastened to adopt a sounder system, we should live to deplore the loss of our best and greatest market, the market of the United States of America. It was to the falling off which had already taken place in that market, that a great portion of the manufacturing distress of this country was to be attributed. Whether as regarded the trade in hardware, in cotton, or indeed any one of the great branches of our manufactures, there was scarcely one of them that was not suffering in a greater or less degree, from the falling off in the demand of our great transatlantic customer. He should regret to see the day, when by our bad policy, we should drive the Americans from the trading intercourse which he believed they were perfectly ready to carry on. He believed, also, that they would be very willing to liberalise their system towards us, if we were to evince a readiness on our side to admit of a more liberal exchange of their commodities for ours. As a means of mitigating the privations of our labouring population, and at the same time of benefiting the manufactures and extending the commerce of the country, he thought that the importance of revising and reducing the duties on sugar could not be over estimated. It appeared that the annual average consumption of sugar by the working people of this country was only 17 lbs. or 18 lbs. per head; being less than the allowance made to every sailor in the navy, and less even than was allotted to every inmate of every well-regulated union workhouse. Here then was a market, a large and most important market, if her Majesty's Ministers would only be wise enough to open it. Let them place themselves in closer communication with the countries which produced sugar: let them admit that valuable commodity upon fairer and more liberal terms, and they would find it an article of daily increasing consumption. And to those who had the interest of the poor of this country at heart, he would say that he knew of no greater boon that they could confer upon their humbler countrymen than to place this necessary article of consumption within their reach at a reasonable price. He believed that by doing so, the landed gentry would be adding to the value of their estates. At all events, he was persuaded of this, that every day that the settlement of the sugar duties was delayed, every day that the injurious system of differential duties was continued, the Legislature and the Government were guilty of prolonging the miseries of which the poor complained, and of driving the operatives of this country, day by day, into a still more degraded position than that which they already occupied. With reference to the condition of his own constituents at Manchester, he would only state, that the poor-rates of that town were daily increasing—that the number of individuals receiving relief materially increased from week to week—that at the present moment, the number of individuals in the receipt of parochial aid, amounted to between 700 and 800 more than the number receiving relief for the corresponding week of last year; and that he was unable to lay before the House or the country any flattering prospect of improvement amongst those whose interests he more immediately represented in that House. He would only say to the hon. Gentlemen opposite who were identified with the landed interest—an interest with which he also was intimately connected, that he extremely regretted the course which they had taken. He thought that their conduct in reference to the Corn-laws exposed them to the charge of having been actuated by selfish views. He called upon them to reflect upon the circumstances under which the Corn-bill of 1815 was passed. At that time, the manufacturers of the country had really no voice in the Legislature, nor were they themselves sufficiently alive to the great importance of the measure which went to restrict the supply of food. But, if at that time the Parliament of this country acted in ignorance; if it had no information before it of what the practical evils of the system would be, the present generation having had a sad experience of those evils, and having witnessed the distress and suffering to which they had given birth, could not plead ignorance upon the subject, but must proceed to an adjustment of the question, with a full knowledge of the mischiefs which the unwise legislation of their predecessors had entailed upon all the great interests of the country. Under these circumstances, he hoped that the Gentlemen of the present day would, upon the best consideration that they could devote to a subject of so much importance, reflect that this was not a question of maintaining one interest at the expense of another; but a question which belonged to the general interests of the whole community, and in the wise adjustment of which was involved the welfare and well-being of this great and once prosperous country. He could not conceive any question which had a greater claim upon the attention of the House. The depth and extent of the distress which now unhappily prevailed, in almost every part of the country, was admitted on all hands. That being the case, it was necessary that an enquiry should be made, as well into the cause of the distress, as into the mode of mitigating it. He would not quarrel about the form, or the manner, in which the inquiry should be conducted. He believed, that if the House were to go into committee, many facts might be brought to light, and many valuable suggestions be made. He was, therefore, anxious that the proposition of the noble Lord, the Member for Sunderland, should be acceded to. When the Gentlemen opposite opposed themselves to that proposition, would they give to the House an assurance, that they were themselves prepared to bring forward some measure which they believed would rescue the country from its present condition of deep distress? If they would do so, he was sure that they would meet with no unwillingness from Gentlemen on that (the Opposition) side of the House to concur with them, and to support them in carrying any measure that should afford the prospect of conferring a real and substantial relief. He could not resume his seat without expressing his regret that no such assurance had as yet proceeded from the Treasury Bench—that no proposition had been offered that could be regarded as in any way calculated to relieve, or even to assuage the difficulties under which the country was labouring.

Mr. *Ferrand* wished to explain. The hon. Gentleman (Mr. Philips) stated that in the debate of a previous evening, he (Mr. Ferrand) had asserted that the owners of mills in Manchester had lately introduced the system of apprenticeship. [Mr. *M. Philips:* I so understood the hon. Gentleman.] Then the hon. Gentleman misunderstood me: I had no intention of making any such statement. Several hon. Members on the other side of the House have attempted to make it appear, that I have charged the whole body of manufacturers with cruelty and oppression. That is not the case. I had never any intention of making any such charge. On the contrary, I know some gentlemen having mills who are as humane men as ever lived. The statement which I offered to the House the other evening was founded upon information which I had received from an individual on whose testimony I could place the fullest confidence.

The *Speaker* here interposed, and intimated to the hon. Gentleman that he was overstepping the rule of Order when he extended his observations beyond what was strictly necessary for explanation.

Mr. *Darby* did not think any practical good could possibly arise from acceding to this motion, and therefore, instead of showing sympathy with a suffering people, the proposition in his opinion rather partook of mockery. He rose, however, chiefly in consequence of some expressions which had been attributed to different Members of the Government; and, although it was not his place to defend them, he could not sit still and hear expressions ascribed to them which, if true in the meaning attached to them by hon. Members opposite, would make it a question with him whether he should at that moment be a supporter of the present Ministry or not. What was the first misrepresentation? On the first day of the Session the right hon. Baronet at the head of the Government gave an answer to a question which was put to him, and how was it treated?—not as a reply to a question, but as a declaration. If it had been a declaration, it would have been of a perfectly different nature and tendency from what it was as an answer to a question. The hon. Member for Halifax had asked. whether her Majesty's Government intended to alter the Corn-laws this Session, and the right hon. Baronet said he did not intend to alter the Corn-laws, and that he was precisely of the same opinion as when the measure of last Session was passed: but what was the very logical inference! why, that he would alter it next Session. Such a deduction, he maintained, could by no means be legitimately drawn from the premises. The next misrepresentation arose out of the Speech of the right hon. the Vice-President of the Board of Trade. He had heard the right hon. Gentleman state, in reply to the Speech of the noble Lord who introduced this motion, that he was ready to enter into the discussion of the Corn-law whenever it was brought forward as a distinct question, but that such and such had been the principle of the Corn-law for a long time past, and that was immediately construed into an admission that the act of last Session was a temporary measure. It was also said that the right hon. Gentleman had altered his opinion since the last Session of Parliament. Now, having formed part of many deputations that had waited upon the Government on this question, he must say the general principle maintained out of that House, as well as within it, was that the alterations proposed would not seriously affect those who thought they would be injured by their operation, the intention always being to protect the labour and capital of the country. Hon. Gentlemen opposite did not think the Government went far enough, but the right hon. Gentleman declared that he would not consent to such an alteration of duties as would affect the labour and capital of the country. He distinctly understood from the right hon. Baronet at the head of the Government, that with respect to the Corn-laws he entertained the same opinions he did last Session; that he would not give an assurance that to the end of time that law should be maintained, but that the duty should be so regulated that the labour and capital of the country should be protected. If that principle were maintained, it was all he asked. But if the Government had said, "We will irrevocably, and under all circumstances, pledge ourselves to maintain this law," it would have given him no security whatever for its maintenance, because he should have felt that any Government which could be so weak as to allow itself to be taunted into such a declaration, so far from maintaining the law, would be the first to change it; but if the right hon. Baronet had last year mental reservations, and contemplated a period when he might alter the law, he could not in such a case continue to support him. He regretted that some of his hon. Friends had upon this subject fallen into the trap set for them by Gentlemen opposite. It seemed to be a regular plan acted upon by all the Opposition journals during the recess, to produce the impression that the law must be altered this Session. It was a decided party movement, and hence the first question put was whether the law was to be altered this Session? "No," said the right hon. Baronet, which, in the logic of hon. Gentlemen opposite, could of course only mean that he intended to alter it next Session. Although he and some of his hon. Friends had differed from the Government on many points during the last Session of Parliament, he did not think her Majesty's Government could have made fairer and clearer statements with respect to any alteration of the Corn-law than they had done since the present Session commenced; and if he thought they had made those statements with the slightest reservation, which he did not believe,—if he thought they contemplated any alteration of the law, and this he did not believe, he would no longer give them his support. The declaration of the right hon. Gentleman the Vice-President of the Board of Trade had been grossly misstated in the public organs supporting the opinions of hon. Gentlemen opposite. The principle the Government had laid down, in reducing the duty on corn, was to endeavour to effect an alteration without seriously affecting the labour and capital employed in the production of that article. The right hon. Baronet now said that he would not make the mad reductions demanded by hon. Gentlemen opposite, but that he would consider whether such reductions would prove injurious to the labour and capital employed in agriculture. This was precisely the same principle as was laid down by the right hon. Gentleman last Session. It had been said that the motion now before the House was not a party question; but a more complete party speech than that of the right hon. Member for Portsmouth he had never heard. The right hon. Gentleman evidently designed to set clumsy and ill-conceived traps for Gentlemen on that (the Ministerial) side of the House. That right hon. Gentleman attempted to make it out that there had been some mental reservation on the part of the Government with respect to the Corn-law, and stated that when the measure of last Session was introduced they were not told that it was to be regarded as a settlement of the question. He would repeat, that if the Government, when they brought forward the measure of last Session, contemplated any further alteration in the law, they had, in not having communicated such intention to those who then objected to that measure, been guilty of great deception, and he for one could not, under such circumstances, continue to give them his support. But he would at the same time say, that it was absurd to expect any Minister of the Crown to declare that, as long as he lived, he would pledge himself to make no alteration in a particular law. No wise Minister, certainly, would give such a pledge; and he far from regarding such a declaration as any security against change, would consider that the man who was weak enough to make it would also be weak enough, when pressed by circumstances, to accede to an alteration. He had never believed, and he did not now believe, that the Government entertained any intention of altering the Corn-law; and he was sorry that some hon. Gentlemen on his side of the House had fallen into the trap which had been set for them. He regretted, as much as any one, the deep and severe distress which affected the manufacturing interest; but some very curious facts had come out incidentally during the present debate, which convinced him that this distress arose from a complication of circumstances, which would preclude any committee of that House, even if their labours were prolonged for twelvemonths, from providing a remedy for it. The question would require the most careful and abstracted attention of able men, in their closets, in order to arrive at any means of relief. The right hon. Gentleman the Vice-President of the Board of Trade had stated, on high authority that this country could produce manufactures at a cheaper rate than any other; and it had been asserted by hon. Gentlemen opposite that there had been a greater average quantity of manufactured goods exported during the last three years than had been the case during any former period. He would say nothing about the price; but, concurrently with these circumstances, a great number of artisans had been destitute of employment. He thought, then, there must be something very extraordinary in the state of the manufacturing districts. He was not one of those persons who supposed that they could put down machinery by legislation; but it seemed to him that the state of things to which he referred must have arisen from immense competition—a competition between real capital and credit—which had led to extensive overproduction. How, then, were they to remedy the existing evil? Hon. Gentlemen opposite proposed to do this by extending, as they said, our commerce, while at the same time they would displace the labour of the agriculturists. Hon. Gentlemen said that our commerce must be promoted to an unlimited extent; but if that was done by the exchange of our manufactures for foreign corn, the corn of this country must be displaced to an unlimited extent. If they only imported as much corn as they needed to supply the deficiency of production in this country, then the exports of our manufactures in exchange must be limited to the value of the corn imported; but if an unlimited amount of manufactured goods were exported in exchange for foreign corn, the corn of this country must naturally be displaced. Hon. Gentlemen opposite clamoured loudly for a repeal of the Corn-law, but they did not agitate for a reduction of the protective duties on manufactures. He thought the proper course was to protect the landed interest so far as to encourage the growth of corn at home, while at the same time it was prevented from reaching an extravagant price. He was convinced that, so far from free-trade in corn tending to establish an even price, it would cause ten times more confusion than existed at present. If this country became dependent on foreign nations for its supply of corn, it would be entirely at their mercy, and, instead of obtaining even prices, there would be greater fluctuations than ever. He believed, that with a law which protected corn of home production when it was at a low price, and which admitted a free importation of it when it rose to a certain degree, they would not only obtain a more perfect supply of food for the people, but they would also, on the whole, have a better exchange for their manufactured goods. When the new tariff was brought forward last Session, many hon. Members opposite were loud in complaining of proposed reductions of duties which affected their interests. Why, then, did they come down to this House and ask for a free-trade in corn? Why did they not ask for a free-trade in all other articles? [*Cheers.*] Hon. Gentlemen cheered; but if the House were more full than it was at present he did not think many gentlemen would cheer. Why did not hon. Gentlemen press the Government for a reduction of duties with respect to articles in the manufacture or production of which they were interested? He would assert, that hon. Gentlemen who did not do so were not supporters of free-trade. Why did not the Anti-Corn-law League call itself the "General Free-trade League?" They dare not propose such an association in the manufacturing districts. They called this society the Anti-Corn-law League, in order to induce persons to join them; but if they avowed themselves the advocates of free-trade in every article of production, there would soon be a dissolution of the League. Some hon. Gentlemen seemed to wish to make cotton the great medium of exchange for corn; but why not exchange it for silk, or other articles, consumed by the population of this country, as well as for corn? It would be a most dangerous thing for the country to depend upon any one trade carried on by machinery; indeed, he believed such a state of things could not exist for two years, and the cotton manufacturers, instead of gaining by it, would speedily be reduced to a state of bankruptcy. In the course of this debate numerous topics had been touched upon, and among others, the subjects of treaties with foreign countries and the promotion of colonial trade. Those subjects were not new, for the right hon. Baronet at the head of her Majesty's Government, during the discussions on the tariff last year, stated that he had those objects in view, and expressed his anxiety that measures should be adopted for the promotion of the commerce of the country. There were immense fields of commerce open to this country; and, although he deplored most deeply the existing distress, he must be allowed to say, that he thought the Government was pursuing a wise and judicious course in protecting the labour and capital of the kingdom. He hoped hon. Gentlemen on that side of the House would not entertain the opinion that the Government were practising any deception with respect to an alteration of the Corn-law. If they entertained such an idea, they had better at once say that they no longer possessed confidence in the Government. He thought it was unfair of hon. Gentlemen opposite to take—as they had done in this case—statements of Members of the Government in reply to questions, and argue upon them; for such a course tended to diminish that confidence which it was so desirable to maintain in the country, and, instead of benefiting their constituents, it would be most prejudicial to their interests. Those men who, for mere party purposes—in order to render their opponents unpopular—favoured the idea, which they knew to be unfounded, that the Government intended to propose any alteration in the Corn-law, created anxiety and distrust throughout the kingdom, and prevented that restoration of confidence which could alone heal the wounds under which, he regretted to say, the country was now suffering.

Lord *H. Vane* felt great unwillingness, after so protracted a debate, to solicit the indulgence of the House; but he felt himself obliged to express his reluctant dissent from the motion of his noble Friend—it was with reluctance he did so, because he concurred in many of the views of the noble Lord. He had voted with the noble Lord on the great question of sugar. He preferred the measure on the timber laws originally propounded by the noble Lord, the Member for London, to that of the right hon. Baronet at the head of the Government, taking into consideration the question of revenue. But if he might allude to matters personal to himself, in 1841, when he passed through the ordeal of a general election, he had then advocated a complete reformation of the commercial tariff; but he at the same time told the agriculturists, that, concurrently with such a diminution of protection, they must expect an extensive diminution of agricultural protection; and that he could not consent to such a withdrawal of protection as would introduce great perturbation into that interest, and necessarily displace a great mass of agricultural labour. Addressing himself to the question before the House, it appeared that distress of unexampled duration was admitted by every Member who had addressed the House on both sides. His noble Friend brought forward, under these circumstances, a motion not to enquire, but intended to go into committee with a foregone conclusion; he, however, had disclaimed any party motive. What, then, was his object — not to inquire? From the speech of his hon. Friend, the Member for Halifax, his noble Friend meant, if not the withdrawal of protection altogether, a nominal fixed duty, as he had used the expression "fixed duty" only in conjunction with a low duty, as some qualification of the present duty. This was the only remedy his noble Friend intended to propose, for his motion could only mean this. Now he could not give his consent to what seemed involved in such a motion, being nothing less than an immediate, abrupt, wholesale withdrawal of protection. The hon. Member for Halifax had mentioned, that a large mass of artizans had returned from Leeds to the agricultural villages of his vicinity in a state of destitution. He must, then, imagine, that the total change in the Corn-laws would not only find employment, by the impulses afforded to trade for the manufacturers now out of employ, but also for the agriculturists whose labours would be displaced. The hon. Member for Sheffield (Mr. Ward), who spoke always with great fairness, had stated, that the Zollverein in Germany had been formed on account of our refusal to admit German corn. That refusal had certainly accelerated it; but there was a desire in Germany, which, sooner or later, must have taken effect, to abolish restrictions on commerce between the different states. In 1815, the finances of the country were exhausted; but as capital accumulated, the establishment of manufactures, supposed to be a source of riches, unavoidably arose a body of men who exercised in Germany great influence over the public mind, the body of professors, who, urgent in their endeavours to establish a commercial union between the different states of Germany to abolish those internal restrictions between the states, which operated in a manner analogous to municipal restriction, to the early removal of which in this country the noble Lord, the Member for Sunderland, justly attributed the development of internal trade, and the increase of prosperity here. The endeavours of this body thus supported by public feeling, contributed largely to the formation of the Zollverein. The hon. Member for Sheffield thought, that if we did not abolish all protection on corn, we should lose the American market; but that if we abolished these, a majority of the Congress would sweep away the restrictive tariff which had been lately established. But, after all the changes and vicissitudes of opinion in that country, would any one on such a chance, independently of other grounds, and on that contingency alone, cast the political dice? The hon. Member for Shrewsbury (Mr. D'Israeli) attached much importance to treaties. He (Lord Vane) agreed, that a treaty with France was most desirable; but he much doubted whether a majority in the French Chamber of Deputies could be induced, in a commercial point of view, to consent to such a removal of restrictions as would materially enlarge our commerce. But the hon. Members had blamed the noble Lord, the Member for Tiverton (Viscount Palmerston) for not contracting treaties of commerce, and had made a grave accusation of the omission of two complimentary embassies; but in his opinion, the best way of establishing relations with Brazil was by a diminution of duties upon sugars. The noble Lord concluded by regretting that his dissent on so extensive a modification of the Corn-laws as was involved in this proposition, and which would necessarily displace a great portion of agricultural labour and capital, prevented his voting with the noble Lord.

Mr. *Brotherton* said, that the distress which had existed for two or three years past still continued to an alarming extent; and, being convinced of this, he should support the motion, not from any party feeling, but from a sincere desire that the people should be relieved from the evils they experienced. He could state from his own knowledge, that all classes of traders were suffering to a great extent; the merchant, the manufacturer, the shipowner, were all going in a downward course. Letters he had received within these two days from merchants and manufacturers stated, that they thought things were growing worse, and that the distress was becoming more and more prevalent. He had in his hand a statement relative to the borough of Salford, taken from returns made by the Poor-law guardians, from which it appeared that in the Salford Union, in the quarter ending December, 1839, there were 2,181 persons relieved; in 1840, 2,239; in 1841, 2,380; in 1842, 4,230; and he was told that since these returns had been made in January last, there had been an increase of numbers. The poor-rates levied in Salford in 1836, amounted to 7,079*l.*; in 1839 they were 13,366*l.*; in 1840, 12,761*l.*; in 1841, 17,547*l.*; in 1842, 23,961*l.* But this was not all; in addition to the increase in the rates and the number of paupers, there had been a decrease in the value of property. In 1839 the rental was 155,332*l.*; in 1842 it was 141,100*l.*, showing, in two years, a decrease of 14,232*l.*; and there ought to be considered, in addition to this, all the uninhabited houses, mills, and other places; and, therefore, the depreciation of property must be going on to an alarming extent. Even this was not all; crime was increasing; great demoralization was always produced by such a state of things. Comparing years of plenty with years of scarcity it was always found, that when food was plentiful crime diminished, and increased with a scarcity. In 1831 there were 1,000 persons committed for trial at the New Bailey, in Salford. In 1836, notwithstanding the increase of population, when food was cheap, there was only an increase of 12 in the number committed. In 1842 the number was 2,041. But it had been represented, that there was some improvement in the districts. He was ready to admit, that when the news of the peace with China arrived, there was a considerable disposition to set the mills to work; some that had been only working half time, worked full time; but the report of Mr. Horner, the factory inspector, which had lately been laid on the Table by the Home Secretary, showed that there were but 4,710 out of the 16,774 out of employment in 1841, who were now in full employ; and that of those who were half-employed, there were 11,469 still working short time. Then there was no building going on; all was paralysed; machine-makers were at a low ebb; the joiners, carpenters, and bricklayers were almost all out of employ; and many other trades were in great depression. Therefore, he was justified in saying, that the state of distress was continuing to increase, and that there was no appearance of improvement. Food, no doubt, was something cheaper than it was; and while food continued cheap, there might be a chance of trade reviving. On the other side of the House there was sympathy expressed, no doubt, but no means appeared to be contemplated to relieve the distress. Hon. Members opposite did not appear to believe there was any necessity for the relaxation of those laws which obstructed the markets for our produce. Some said the distress was attributable to over-trading, others to machinery, others to joint-stock banks. Numerous causes had been assigned, none of them, in his opinion, sufficient to account for the extent of the evil. What were the remedies proposed? The hon. Member for Knaresborough (Mr. Ferrand) had proposed to put a tax on machinery; in fact, machinery seemed to be intended to be stopped wholly. But if they stopped the machines, and went back to hand-loom weaving and spinning, and allowed the manufacturers on the Continent to use all the newly-invented machinery which British ingenuity and skill had discovered and applied to the production of its manufactures, how were the 50,000,000*l.* of taxes, and the 60,000,000*l.* of rent, and the 10,000,000*l.* of tithes, and rates, and other duties to be paid? Why, the thing was so absurd, that it had been properly characterised as lunatic logic, and lunatic logic it was. On this supposition he would ask, how were the people to be employed and fed?

What increased our wealth but machinery? What increased the value of the land but our commerce? Hon. Members in this seemed very ready to put the cart before the horse, and say, that the landed interest ought to be looked to before the commercial interest. He was ready to admit, that the landed interest and the commercial interest ought to go hand in hand; but it was the prosperity of the latter that caused the prosperity of the former. What was it that enabled the artizan of England to earn higher wages than the foreigner?—Our manufactures. If the landowners knew their own interest, they would cherish commerce; and, though he knew it was in vain to appeal to their humanity, he did expect something from their views of their own interests; the moment they saw their own interest in it, they would relax these laws. He was well aware, that it was in vain to appeal to their justice or humanity, but he did expect something from an appeal to their interests; the moment they found that the existing laws were adverse to their interests, they would give way; the argument must, therefore, be addressed to their pockets. It was quite a fallacy to suppose that the Corn-law could not be relaxed without injuring the land; by promoting the manufacturers' interest, they would promote their own. The farmers in the neighbourhood of Manchester found out this. Previously to the distress, they had been in favour of the Corn-laws; but, on the suspension of labour, when they found they could not sell what they brought to market, and that there was no money to pay for food, they had altered their opinions, for they saw that it was owing to there being no employment for the people. Seventy years ago, the cotton manufacture employed not more than 60,000 persons; now it employed not less than 1,500,000. Seventy years ago, there were not more than 350,000 inhabitants in Lancashire, now there were 1,600,000, a great portion of whom were employed in manufactures. But the landed interest said, "We must have protection; we are your best customers." Look at the facts. In 1815, when the Corn-law was established, the manufacturers could exchange a piece of calico for three bushels of wheat; and now they could not get more than about three quarters of a bushel of wheat for a piece of calico of the same quality. Here, therefore, they gave the landowner cheap goods for dear corn. That was the valuable custom that they told the manufacturers of. As for the principles of the Government, he admired them; but what they wanted was the practice of those principles. They agreed to the existence of distress, and in the principle which would, if applied, alleviate it; and they allowed that the population had increased by 220,000 a year; but they would not carry out their principles. What was to come of this immense annual increase? If they were not employed, they must come on the land. How to set them to work was the problem; how the labourer or artizan was to earn his bread? Why, the natural plan was to extend our commerce. It had been said, that over trading and over production were the causes of the distress. How could overproduction be taking place?—over production meant diminished demand. The people were not clothed. The hon. Member for Durham (Mr. Liddell) had talked of a railroad to Jupiter, and our being able by machinery to supply the people there; but he had heard it calculated by a Friend that the manufacturers, with all their machinery, could not at present furnish three quarters of a yard for each individual in this world without going to Jupiter. To supply the East Indies alone would require a factory to reach from Manchester to London. It was admitted that other countries were ready to take our goods if we would take their corn; but it was supposed that such a proceeding must necessarily displace our labour. That was a fallacy; but if it should, a duty of 1*s.* per quarter on foreign corn is a tax upon the community equal to the wages of all the labourers employed on 3,000,000 of acres. It was said food was cheap; that he allowed; but under the sliding-scale no more can be imported except at a famine price, and as certainly as day follows night, prices will again rise to 66*s.* per quarter, when we may receive foreign corn at a duty of 8*s.* per quarter. Nothing could avert this in the present state of things. One sixteenth of the inhabitants of this country were at present dependent upon foreign corn; so that, with all their protection, the landed interests were not able to feed the people. But the increase of machinery was the cause of the distress. Now what caused that increase? It was, because the manufacturers had to compete with countries where food was cheaper; therefore, they racked their brains to invent new machines to enable them to dispense with human labour. What was the effect of protection to agriculture? Not to stimulate the farmers to produce as much as they could, they said, "A short crop pays as well as a large one." and when the crop was short, they said, "Now we shall have our own price." He was amused with the symptoms of threats held out to the right hon. Baronet (Sir R. Peel), that if he acted according to his principles the landed interests would desert him; but let him act on his professed principles and every man of principle on the Opposition benches would support him. The Corn-law was an unjust law. The landowners knew they had the power, and, therefore, maintained it. They talked of the manufacturers over speculating and spending other men's money, but was it fair that the manufacturers should keep their labourers? Hon. Gentlemen opposite talked of the displacement of agricultural labour. Why, it would be better for the manufacturers to pay the amount of the whole of that labour than to have their industry and enterprise fettered by a Corn-law which prevented an extensisn of the boundaries of commerce. Those opposite had the power to make the law, and to determine what should be the protection. Let it be remembered, that a duty of 8*s.* per quarter is a tax on the people of 20,000,000*l.* annually. So long as that law continued the people of this country could not fail to see that the legislation from which it emanated was class legislation. The manufacturers wanted no protecting duties, neither did the artisans, to which he hon. Member for Winchester had alluded the other night. Their cry was, "Give us free trade in corn, and we want no protection." The landed interest it was which kept the Ministers in office, and those latter, therefore, whether it was their intention or not, had no power to grant what was so anxiously desired. The people, however, had made up their minds no longer to submit to class legislation. Gentlemen opposite spoke of the displacement of labour, but what was the condition of the agricultural labourer, after having the advantage of protection for twenty-five years? [*Hear.*] Why, it was a fact, that in Dorsetshire every seventh man of the whole population was a pauper. Lord Mountcashell spoke the truth, when he honestly avowed that the object of the Corn-laws was to keep up the rent of the landlords; and, until a reformation was made in the law, which was enacted with that view, Ministers could not hope for the support of honest men; it was the cause of all the misery, the distress, the degradation, and the crime with which the country was at present afflicted. He (Mr. Brotherton) had stated the distress which so extensively existed, and in two words he would express the remedy,—namely, free-trade. When a river overflowed in the ordinary course of nature, when the cause had subsided, it returned again to its accustomed limits; but if barriers were raised up against the stream, those who raised them had no right to complain of a stagnant pool or superabundant accumulation. He was perfectly convinced of the truth of the opinion to which he had given utterance, and he called upon Ministers to follow out the principles which they had themselves sanctioned by a partial adoption.

Mr. *Attwood* said, he should regret if the debate closed without his expressing briefly the reasons which would decide his conduct on the occasion of a motion which brought under the consideration of the House that most important question, the present condition of the country. He viewed with those painful feelings common to every man, the distress of the people, and partook of those sentiments of apprehension as to the result which were felt by every sober-minded and considerate person in the country; but if any one circumstance more than another alarmed him, and caused him almost to despair of the country, it was to observe the manner in which this subject had been treated in this House. He heard, neither from those entrusted with the powers of Government on one side of this House, nor from the Benches opposite, where sat the Gentlemen who held recently the powers of Government, any satisfactory or consistent exposition of the causes which had reduced the country to its present state; nor were any measures proposed on either side, of permanent remedy, or even of temporary relief. The course taken by the Members of the Administration who had spoken would be viewed with dissatisfaction by the country. The right hon. Baronet at the head of the Home Department had spoken with that power which belonged to him, but his speech had disappointed him, and would disappoint the expectations of the people. In a great part of what he had said, the right hon. Baronet appeared to look on this rather as a question of party politics than one which involved the safety of the country. His anxiety seemed rather to be to ascertain whether this motion was intended to be a trial of party strength, on which was to depend his prospects of a longer or shorter continuance in office. He would do the right hon. Baronet justice. He did not wholly overlook the condition and the interests of the people; and on this topic, to one of the statements of the right hon. Baronet, he desired to advert. The right hon. Baronet had laid before the House statements of the extent in which mortality prevailed; the people were distressed according to his tables, but they did not die; they suffered, but they yet lived. This conclusion the right hon. Gentleman derived from a table of great authority, as he assured the House. Now he must be excused if he withheld his assent, not to the table, but to the conclusions drawn from it, as he should from every statistical table quoted partially, and not laid entire on the Table of the House. He had seen too much of the errors to which tables of this kind led; the right hon. Baronet knew it well, and the House generally distrusted such statements. He had taken the autumn quarter of 1842, had contrasted that with the autumnal quarters of three previous years, and from those drew his conclusions. But the year had other quarters besides the autumnal quarter, and until he saw the mortality of the whole of those years, he withheld his assent to the fact, which he would have been glad to believe —that the present distress of the country was not accompanied by a great augmentation of deaths, by a great diminution of marriages, and legitimate births. But if he was dissatisfied with the course adopted by the right hon. Baronet, he was still more disappointed in what had been said by the Vice-President of the Board of Trade. That right hon. Gentleman told the House that an improvement had taken place in the condition of the country, that there was greater employment for labour, and an improved condition of the labourer, and, amidst that universal cry of distress which arose from every part of the land, the right hon. Gentleman had arrived at this conclusion by an examination of the condition of the Savings-banks. He would explain the fallacy which led to this conclusion; but in doing so he apologised to the House for occupying its attention with a matter so trivial, excepting from the importance it derived from the gentleman from whom it emanated. The right hon. Gentleman found that in the quarter ending in January last there were increased deposits in the Savings-banks, as compared with the quarter of January, 1842, and January, 1841. In the Savings-banks of South Lancashire he found that an addition of 20,000*l.* or thereabouts, had been made. The right hon. Gentleman should have known, and should have told the House, that these deposits in the Lancashire Savings-banks were made by persons who traded in money—that in the general market of money its price had fallen in the periods he referred to in a degree more than one half, whilst these Lancashire banks were enabled by the law to give the very same interest for money now the price had fallen which they gave when the price was double its existing rate. They gave a high price for a cheap commodity. The commodity was taken to them in greater quantities, and the Gentlemen at the head of the trade department in that House, saw in that circumstance something which justified him in inferring a greater employment for labour and an improved condition of the labourer. He would give the right hon. Gentleman another similar instance. It was not in the Savings-banks alone that deposits had increased. They had increased in that great mart of deposit the Bank of England, and to this extent. In the first period taken by the right hon. Gentleman, the Bank deposits were 7,049,000*l.*, in the second period 7,948,000*l.*, and in the last period, viz. January, 1843, 10,467,000*l.*, showing an increase of 3,400,000*l.* in the deposits of this establishment. He recommended the right hon. Gentleman to inquire of some gentleman connected with the banks, or acquainted with the monied affairs of London, whether this addition evinced an improved demand for labour, and he would be told that it exhibited precisely the reverse; that the accumulation of money in unproductive masses, in banks and Savings-banks, was rather an evidence that no beneficial employment for money could be found in the channels of productive industry, in which channels alone money could give employment to labour, or assist the productive classes. Did not the right hon. Gentleman know that those who had invested in the Savings-banks of South Lancashire did so because they found they were carrying on a losing trade by dealing in money? The investments were no sign of improvement in the country. The joint-stock banks gave to those who deposited with them 3*l.* 6*s.* 8*d.* per cent., and the Government gave the joint-stock banks 4 per cent.; and then the Government bought consols at 95, which would afterwards be sold at 80, whenever the money was demanded, thus losing by the transaction 15 per cent. If a private individual, or even a joint-stock bank were, to take the course pursued by the Government, and had not the exhaustless exchequer of the nation at their backs, it would shortly lead to bankruptcy, yet a Member of her Majesty's Government, the head of the Board of Trade in that House cited the fact of an extraordinary proof of the increased employment of industry and the improved condition of the country. But if he (Mr. Attwood) was little satisfied with what he had heard from his own side of the House, he saw less ground for confidence on the other side and should give to the noble Lord who brought forward this motion neither his confidence nor his vote. He had given no confidence to those hon. Gentlemen when they were in power, and they had none of his approbation now they were out of office; he could have no reliance upon any men who, in times like these, showed eargerness either to obtain or to retain place. The noble mover (Lord Howick) had done what no other Member had attempted; he had assigned a cause for the present distressed condition of the people; and he had prescribed a remedy when no other state doctor had ventured to offer an opinion. The noble Lord had adverted to the various notions promulgated at various times respecting the origin of the existing evils. One of these notions, which he apprehended was now exploded, had been that the change in the currency had produced them. Another was, that they were owing to the new Poor-law. He (Mr. Attwood) agreed with the noble Lord that there was no foundation for this opinion, for the new Poor-law was the creature, not the creator, of the national distress. Again, some considered taxation as the cause of distress; with them the noble Lord did not agree, nor did he (Mr. Attwood.) The country paid but about fifty millions of taxes; there was a time when it paid eighty millions, and with that burthen universal prosperity prevailed; but the noble Lord might have found on high authority, in evidence given before a committee of which he was a Member, by Lord Ashburton, that the burthen of the fifty millions now paid pressed as heavily upon the country as did the former eighty millions; their weight having been virtually increased by those alterations in the currency, of which the noble Lord spoke so lightly, to the full extent of the nominal reduction effected by successive Administrations. Others look to machinery as the root of the national distress. The noble Lord as little agreed with them; but rejecting all these opinions, he proposed a scheme of his own. The noble Lord saw in intense competition the root of all the distress of the country. In every direction he saw the people eagerly contending with each other for employment and subsistence, the disease reached all classes. If foreign Governments wanted British goods ten times the quantity was offered. The professions were infected with the general disease; if a solicitor weary of toil, desired repose, a dozen others scrambled for his place; and the capitalists joined in the strife; if a man wanted money on good security they bid one against another for the investment. Now, he would point out to the noble Lord that this last illustration he had given overthrew totally his whole system. The competition of capitalists to lend money was a new feature. Twelve months back, two or three years back, no such competition was seen. The capitalists shrunk back from advances of money, they required five, six, seven and ten per cent.; but distress had existed so long, as to have assumed a permanent character; it existed before the competition of the capitalists had taken place, and the noble Lord would readily see that a competition could have been no cause of a state of things which took place before its existence. The noble Lord founded his measure of relief on this theory. Since, he said, the distress we have to deal with plainly springs from excessive competition, his remedy was applicable to the evil. But he had forgotten to tell them where this competition itself originated. Was it an increased desire of wealth suddenly seizing all classes, or rather the pressure of severe distress, the want of food, clothing, and the necessaries of life, which drove them to this severe struggle? He might with as much reason have told them that the hunger of the people was the cause of their nakedness—that distress had produced distress—as that either was caused by the competition which doubtless existed, but which had arisen out of it. What, then, was his remedy? He found too much labour, too many productions. And then the noble Lord would bring in the labour of the foreigner and his productions, and still further increase competition; and this was the best ground the noble Lord could give for his motion. But what said the noble Lord who sat beside him, the Member for the City of London, to this doctrine of distress arising from competition? The whole foundation of the new policy of the noble Lord, the Member for London, turned on the necessity of stimulating industry by still further competition. What was the meaning of all they heard of class interests, of monopolies, spreading over the land—that monopolies are inert and indolent—they never exert themselves—they slumber under the upas tree of protection—competition must be excited. He should leave the noble Member for Sunderland in the hands of the noble Lord beside him, and called on that noble Lord to explain to the Member for Sunderland, that if his theory were true, the very foundation of his prospects and policy is taken away. He now called on the right hon. Baronet at the head of the Treasury to answer this part of the speech of the noble Lord. He was an advocate for the stimulating system. What else meant those congregations so much heard of, of German chemists and English farmers, Scotch speculators, and professors of political economy, and he believed of moral philosophy, which the right hon. Baronet had brought together? Surely nothing else but that the farmers were to learn that they had existed hitherto in a state of torpid indolence. That they must be stimulated to more competition—the tariff was brought to act on them—they must learn how to pay high rents whilst they sold at low prices, and thus supply the demands of the Income-tax to the capitalists—and all this by exploring unknown powers which existed in the earth. For what else was the advice given to rely on themselves but to meet competition? He hoped that the noble Lord, the Member for London, on the one side, and the right hon. Baronet on the other, would decide what was the canse of distress. The noble Lord, the Member for Sunderland, had challenged any one man to show an instance in which free-trade had been fairly tried and had failed. He submitted to the noble Lord that the whole competition of the country was an instance of the application of free-trade principles and of their utter failure. During the former history of legislation in this country it was founded upon the better basis of protecting native industry. It was in 1815, in the petition presented by the merchants of London, that we first found out the new principle which was now adopted by the right hon. Baronet, that we ought to sell in the dearest and buy in the cheapest market. From that time to this, this principle had been more and more carried out; we had been sacrificing our native industry to competition with foreign countries; and the noble Lord, the Member for Sunderland, might see in the application of free-trade principles the consequence of the competition he advocated. The silk trade was an instance in which free-trade had been applied; it had totally, signally, and painfully failed. He saw before him the hon. Member for Montrose (Mr. Hume) who, he thought, was convinced of the truth of what he said. Notwithstanding that his hon. Friend, the Member for Macclesfield (Mr. Brocklehurst), who was one of the largest silk manufacturers, had last year shown by the most conclusive figures, that this great experiment on the silk trade had failed; and although that speech had received no answer from any person, yet he perceived, that in another House, the noble Lord, the President of the Board of Trade, (the Earl of Ripon) had undertaken to show that the experiment on the silk trade had not failed, and that he would place on the table of the House papers to show that fact. He thought that the noble Lord would not be able to place on the table of the other House any papers which had not been placed on the table of that (the Commons) House, and if this were so, they could show no such fact. The noble Lord might place on the Table papers to show the increase of smuggling; but he called upon the noble Lord, as he did in respect to other matters, when he produced the papers, to show the state of the silk trade since 1826—the period when the measures of Mr. Huskisson came into operation, and this unfortunate trade was destroyed: to place also upon the Table of the House his own speeches, as well as those of Mr. Huskisson, on proposing these measures. Let the House see the opinions then expressed of the effect of the proposals. Mr. Huskisson said, that the silk trade had slumbered under the Upas tree of protection, it wanted French competition to give it excitement, and then it would take its place by the side of the cotton trade. One reason why the new measure was proposed was that smuggling was extensive under the old system, and would not be so under the new. Let the anticipations be placed side by side with the results, and he was sure it would be found that no failure in legislation had been more signal or complete. The shipping interest had also been made the subject of these experiments, and he would show the noble Lord with what effect. He would show with what expectations the reciprocity treaties of 1826 were introduced. They were brought forward by Lord Wallace, who stated that he was about to give to the ships of Prussia, Sweden, Denmark and Norway, privileges in British ports which they had not yet received. The owners of English vessels were alarmed. They were told they were wrong: their fears were groundless: the shipowners were always wrong. It was said with confidence, that the shipowners of England would be able to contend against foreign ships, and that no apprehensions were to be entertained. "On his own part Lord Wallace said, he had no doubt upon the subject, and he trusted that in a short time the country would have no doubt too." Mr. Huskisson thought that the English shipowners could maintain their ground; but even if it should prove otherwise, it was an object for a great nation to give larger markets for the produce of Great Britain; and though the shipping interests should suffer, he could not consent to sacrifice the interests of the manufacturers and of the producers of this country, even to that important interest, the shipping. By the last returns, it appeared that navigation between this country and the four countries included in those treaties had greatly increased. The average of the tonnage of ships for the four years preceding 1826, employed in the British and foreign trade between England and these four countries was 291,000 tons; the average for the four last years, of which they had a return, showed an increase to 537,000 tons. The increase had been from 291,000 to 537,000 tons; but what part had England obtained of this increase? The British ships, during the first period, carried 129,000 tons; the foreign ships, 162,000 tons. During the last average, it appeared that the tonnage of foreign shipping had increased from 162,000 tons to 430,000 tons; whilst the tonnage of British ships, instead of increasing in a like proportion, had fallen from 129,000 tons to 106,000 tons. There had been a falling off of 20 per cent. on British shipping employed with these four countries, with which we then entered into reciprocity treaties. He asked the owners of ships, when one-fifth of their employment was taken off, what was their condition? He asked the owners of manufactures—he asked the owners of land—what they would suffer if the demand for their produce declined one-fifth, what would be the worth of the other four-fifths? If they reduced the demand one-fifth, there would be a total ruin to the other four-fifths. Here was the condition of the shipping interests after the application of the competition; one-fifth had been struck from the British shipping. He would only add that he would not give his vote to the noble Lord, for he could not see any grounds on which he could support the motion of the noble Lord.

Mr. *M. Gibson*, although he could not but express his strongest opposition to the doctrines advanced in the latter part of the speech of the hon. Member, yet he must say that the remarks which the hon. Member made in the former part of his address met with his full concurrence. He thought that the remark was perfectly just upon the course taken by hon. Members on the other side of the House in making the form of the present motion a chief topic of discussion. It appeared to him that if ever there were a practical motion—if ever there were a motion supported by parliamentary precedent—if ever there were a plain and distinct course of proceeding to be adopted by a Member of that House, it had been adopted upon the present occasion in the mode taken for bringing on this debate. It was an emphatic appeal on the part of the House to the executive Government to come forward at a time of unparalleled distress, and apply some remedy; and the issue of the question was this—that those who voted for it would express an opinion that something ought to be done; whilst those who voted against it would express an opinion that nothing ought to be done. He could not help thinking that the right hon. Baronet at the head of the Government himself felt that if distress were proved, and that if the existing measures did not afford a a sufficient remedy, it was the incumbent duty of the executive Government to come forward and propose some redress. The noble Lord had been blamed for bringing forward such a motion at a time of great distress; but if they were not to bring forward such motions at such a time, he would like to know when they were to be made. But the right hon. Baronet (Sir James Graham) had felt it incumbent upon the executive Government to show that the distress was not so great as it was represented, as the ground for the non-interference of the executive Government. The right hon. Baronet admitted that there was a great deal of distress, but he said there were symptoms showing that an improvement was going on; and in proof of his assertion, he referred to the increase in the deposits of the Savings-banks. The right hon. Gentleman the Vice-President of the Board of Trade (Mr. Gladstone) had spoken also of the Savings-banks, and had raid that, among the working men in the manufacturing districts, the deposits in the Savings-banks had increased; that during the late turn-out, large sums had been withdrawn from the Savings-banks which had been afterwards replaced. But before they quoted the Savings-banks as evidence of improvement, the question was, what was the character of the classes who made these deposits. They ought to ascertain of what class are the depositors. He had the twenty-fifth annual report from the Manchester and Salford Bank for Savings, and Government Annuity Society for the past year, containing a classification of all the trades and occupations of the depositors. Who did this House think these parties were? Instead of being cotton spinners, weavers, and their assistants, silk spinners, weavers, and their assistants, or calico printers, bleachers, and their assistants, they were domestic servants, shopmen, warehousemen, milliners, and persons of that description. They were taught to expect that the artizans received more employment, and by their savings produced the increase; whereas it was proved by the details, that out of 14,937 accounts, there were only 911 cotton spinners' accounts, 131 silk spinners', and 412 calico printers. The return in detail showed the following results:*

The return shewed that the parties whom, they were told, had been lately in more prosperous circumstances, did not constitute a large class of the depositors. The right hon. Baronet the Secretary for the Home Department had adduced other symptoms, to show that the distress was not so great as had been represented; and he began by arguing that it was shown, by the fact, that the value of our exports had not fallen off so much between 1841 and 1842 as they had at a former period, between the years 1836-7 and 1837-8. The falling off in the first period had been 10,000,000*l*., and in the second it had only been 4,000,000*l*. Let the House, however, observe the unfairness of this argument. The right hon. Baronet took precisely the year in which the declared value of our exports was the greatest that they had ever been since the peace in 1815; and he compared the falling off between that exaggerated year and the following year with the falling off in the last year from the preceding one, which is a decline from a year of depression. Again, reference had been made to the tables of mortality; but, if the right hon. Baronet had referred, as no doubt he had done, to the sanatory report, he would have found it stated that the tables of mortality could not be brought forward as any proof or disproof of manufacturing distresss; that they could not be quoted as any evidence of manufacturing or mercantile distress. The hon. Gentleman, the Member for Whitehaven (Mr. M. Attwood) had very properly pointed out the inconvenience to the House, of Ministers of the Crown quoting reports which were not placed upon the Table of the House. No opportunity was given to Members of verifying statements which, being made by persons holding high places, would have a great effect, and, if incorrect, greatly mislead the country. When the right hon. Baronet the Secretary of State for the Home Department stood up and talked of the desire of the representatives of the cotton districts to overstate the distress, he added that it was a remarkable fact, that forty-nine new mills were built and brought into operation in the year 1842. The inference which the House drew from the statement of the right hon. Baronet, he thought, was this, that if there were 100 cotton mills existing at the close of the year 1841, there were 149 existing at the close of 1842; but when he (Mr. M. Gibson) asked the right hon. Baronet what he meant by the forty-nine new mills, and whether he meant new constructions, he replied that he referred to the old mills standing still in the year 1841, and brought into employment in the year 1842, and that he had used the precise words of Mr. Horner, the inspector of factories. Now he had always observed that when complaints were made of manufacturing distress, Mr. Horner was always brought up in judgment against them. When the right hon. Baronet (Sir R. Peel), on a former occasion, quoted Mr. Horner, he thought that the report afterwards produced did not quite bear out the quotation. But let that pass. Upon the present occasion they had Mr. Horner's report; it had been laid on the Table that night, and the House would see whether the words used in that report were calculated to bear the meaning which had been put upon them of new mills built and brought into operation in 1842. [Sir *J. Graham* did not say that.] He believed it was the impression of the House that the right hon. Baronet did say so, and he did not correct him (Mr. Gibson) last night when he said the right hon. Baronet had stated that forty-nine new mills had been built and brought into operation in 1842. But if he did not so state, let them take it upon the right hon. Baronet's own showing. He said that there were forty-nine new mills working in 1842, and he brought that forward as a proof of the increasing prosperity of the cotton districts: and if the

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* See Table in following page.

Description of Depositors.	Total number of Accounts opened under each class.	No. of Accounts of each class remaining open at 29th November, 1842.	Average amount due to each individual, 29th November, 1842.
			£. s. d.
Domestic servants	8,630	3,063	26 2 5
Clerks, shopmen, warehousemen, porters, and their wives	4,764	1,511	27 7 1
Minors	6,363	3,033	14 17 9
Milliners, dressmakers, and needle-women	1,394	430	25 18 1
Shoemakers, tailors, hatters, and their wives	1,697	309	28 2 2
Cotton-spinners, weavers, and their assistants, and do.	4,924	911	28 0 6
Silk-spinners, weavers, and their assistants, and do.	441	131	26 18 11
Calico-printers, bleachers, dyers, packers, makers up, &c , and do..	1,777	412	31 15 9
Engravers, pattern designers, &c., and do.	498	195	27 8 4
Mechanics and handicraftsmen, and do. ..	3,621	816	29 2 4
Bookbinders, and letter-press printers, and do.	196	73	20 13 0
Masons, bricklayers, and their labourers, and do.	1,617	390	26 18 4
Joiners, coach-makers, and cabinet-makers, and do.	2,113	473	32 10 9
Cab and omnibus drivers, mail guards, &c., and do.	152	41	38 15 1
Policemen, soldiers, and pensioners, and do.	304	94	28 4 9
Professional teachers and artists, and do..	957	323	31 18 6
Tradesmen, and small shop-keepers, and do.	2,090	538	37 6 2
Farmers, gardeners, and their labourers, and do.	1,158	350	39 9 8
Other descriptions not particularly specified	6,337	1,844	35 8 3
TOTAL	48,673	14,937	26 13 10

fact were as stated, it would bear much against the opinion entertained that the distress was increasing year by year. Now he found that Mr. Horner talked of these forty-nine somethings, which the right hon. Baronet called new mills, and called them forty-nine new concerns; he (Mr. Horner) then referred to schedule D, and there he had an opportunity of explaining his meaning. He found, upon looking to that schedule, that at least thirty-nine out of these forty-nine were changes of tenancy; they were cases of mills taken by new parties coming to the buildings and embarking for the first time in the cotton manufacture, but these fresh parties had succeeded men who had gone out, no doubt, from bankruptcy or from other causes. It was well known that when machinery was much depreciated, many parties took the opportunity of going into the trade, being enabled to embark in it on easy terms. Therefore it was that, although there was great distress in the manufacturing districts, they found parties ready for the first time to embark in the business; out of the forty-nine new mills brought into work by a change of tenancy, it was not impossible that some were not open before the new parties came in; still those new parties, in all probability, succeeded others who had very recently left them from bankruptcy or other causes. But how many new mills had been actually built and brought into operation in the year 1842? Only one. Of the remaining nine cases of "new mills," one had been built in consequence of the former having been burnt down, and was, perhaps, built by the insurance-office; others were mere additions to old mills; and the others were not completed, and consequently not yet brought into operation. The detail shewed that not more than one new mill had been brought into operation during this year. As they were charged on that (the Opposition) side of the House with exaggerating the distress, it was as well to understand that the statement of the right hon. Baronet, as to the forty-nine new mills, was calculated to mislead the House and the country, and to lead all to a very different view of the state of the cotton districts that to which the right hon. Gentleman intended by the words he had used. When the right hon. Gentleman below him, the late Chancellor of the Exchequer (Mr. Baring), accused the right hon. Baronet of making a "stout speech," he must say that it was not only the stoutest but the boldest statement he had heard in the House, to assume, because certain new tenants, after the loss of the former occupants, had taken a certain number of mills, that parties were crowding into the cotton districts in the hope of realizing large profits. He would take the liberty of quoting from Mr. Horner's report his own opinion of the state of distress in the manufacturing districts, and he would ask, after reading it, whether when the right hon. Baronet used this report it was right for him to select any figures whatever? Mr. Horner, in his report, thus spoke of the distress:—

"Up to the end of July trade continued in a state of extreme depression, but, about that time, a partial improvement took place in some branches, and the hopes of the manufacturers began to revive; but I am sorry to say the prospect is again overcast, and, in the cotton trade, in which the greater proportion of the factories are engaged, the demand is so much less than the supply, that prices have fallen back nearly to the lowest point to which they had gone down in most of the leading articles. All the mill-owners of most experience and intelligence with whom I have conversed, including those whom I have all along found, in these bad times, to be the least disposed to take a desponding view, tell me they look forward to a bad winter. The deplorable state of the trade for a long time past and at present, and the gloomy anticipations as to the future entertained by those best acquainted with it, are unequivocally evinced by the number of large mills that are closed; one of which, the property of gentlemen reputed to be of great wealth, in all the vicissitudes of trade has never before ceased for more than half a century. In my report of the 19th of October, 1831, I stated that the extensive mills at Gorton, near Manchester, which had cost 120,000*l.*, after standing idle for a year had been sold for 36,000*l.*, in June, 1841.

Is that one of the right hon. Gentleman's new mills?—

"Notwithstanding their having been purceased at so low a price, and that the buyers are persons who are believed to be possessed of great capital, and are of extensive experience as cotton spinners, these mills have not yet been set at work."

Are these the mills which have been brought into operation?

Sir *J. Graham*: Would the hon. Gentleman allow him to ask whether the report which he had read was that of October or January? Mr. Horner had made two reports, and it was important to consider which of them was alluded to.

Mr. *Gibson*: It was the October report which he had read [*cheers*]. Taking it as hon. Gentlemen by their cheers meant to suggest, he had at all events made out his case with reference to the statistics of the right hon. Baronet. He admitted, that he had not read the whole of the report; but he did not understand that the right hon. Baronet denied, that the present state of the cotton districts was that which was described. [Sir *J. Graham*: I do.] Resting the case, nevertheless, on the statement of the right hon. Baronet, that forty-nine new mills had been opened—and this was an argument completely apart from all consideration of Mr. Horner's opinion—he had a right to make use of the arguments which he had employed, in order to rebut the charge that hon. Members on that side of the House had shown a disposition to exaggerate the prevailing distresses, and that they had alleged a disposition on the part of her Majesty's Government to underrate those distresses. At all events there was nothing so distinctly shown as this simple fact, that the Members of her Majesty's Government ought not to have quoted from any report which had not yet been laid upon the Table of the House, and printed and circulated amongst the Members of that House. But without going into the question of the condition of particular mills, of how many persons were wholly or partially maintained by the parish funds, or of the state of employment of the poor in the neighbourhood of Manchester or elsewhere, what this House had to look at was, the character of our export trade, and he thought that on a question of this description the deterioration in character of our goods exported was a consideration of great importance. He believed, that it would be found, that the quality of the manufactured produce of this country, which was exported had much fallen off, and that where formerly goods had been taken by foreign countries, upon which a considerable amount of British labour had been expended, now those countries abstained from so far encouraging the manufactures of this country, and they took goods which were more of the nature of the raw material than of articles which had undergone the process of manufacture. He stated this from the information supplied to him by a gentleman upon whose veracity and knowledge he believed the fullest reliance might be placed, and he thus described the evils which existed with regard to the export trade of our cotton manufacturers:—

"1. A continued deterioration in the character of our exports, viz., more twist or yarn in proportion to woven goods, and this yarn itself going largely in an early stage of warp or cop, ready for the loom, instead of reeled and bundled as formerly, thus saving one English operation, and an additional duty has just been laid on this by the German League, to bring it equal in price to the bundled. 2. A further deterioration in the character of the woven goods exported, viz., a diminution of all kinds but grey calicos, which is only one stage removed from the yarn. 3. Almost cessation in the export of handloom goods, in which Switzerland and Germany beat us at open market in every country. 4. In yarn the whole export shows an increase of 19,000,000 lbs. In goods some diminution of yards, but in value a reduction of 2,500,000, or 14,000,000 in the eleven months, up to December, 1842, (January not yet made up). 5. Out of 350 millions of pounds spun last year, only forty-eight millions, or one-seventh, remains for home consumption and stock."

This, he thought, the House would agree with him in thinking was a very important statement — a statement to which hon. Gentlemen opposite, who laid such stress upon the capabilities of the home market for carrying off our manufactures, and for giving full employment of the English labourer, would do well to direct their especial attention. The right hon. Gentleman, the Vice-President of the Board of Trade, had told the House of the tariff and of the Corn-law of last year, and he had told the House what was going to be done in reference to the sugar of foreign countries. Look at the Corn-law of last year—was it not passed for the purpose of regulating the corn trade, and had there not been more failures in that trade since the new law had passed than in any corresponding period under the old law? But hopes were held out of a Brazilian treaty; and, in reference to this, he took leave to say there never was submitted to the House a more transparent pretext, than to suggest that any new stipulation was to be made for the suppression of the slave-trade by the Brazils, as a ground on which the Government would reduce the duties on sugar. With reference to the slave-trade, all that treaties could do, was already done. Had not the Brazilian government already rendered the slave-trade piracy by its own laws?—and could the Government of this country the better enforce those treaties, which they had already entered into, because they were now to have another treaty as a further guarantee? He thought that the House would agree with him that, resting on this new treaty as a justification for any reduction in the sugar duties, was, as he had already described it, a mere pretext; for the purpose of keeping up a shew of consistency; and that the country would not fail to see through the conduct of her Majesty's present advisers, who, after having usurped the seats on the Treasury Bench, on a suggestion, that the late Government were about to introduce slave-grown sugars into this country, now turned round and adopted the very policy which they had so recently disapproved. He would not dwell longer on this question; but he would only say in reference to the Corn-law, and the tariff, that he did not hear that any of the intelligent mercantile community entertained any hopes, that by those measures any increased trade would be produced. They did not find capital flowing into the channels of trade, or the people brought into employment, though they well knew, that where there were opportunities to dispose of capital to advantage, its owners were too eager to adopt them. Then the hon. Member for Shrewsbury (Mr. D'Israeli), who had made a speech of very great ingenuity, had told the House on a former evening that treaties of commerce were to be made with foreign countries, and that increased facilities for our exports to foreign countries would be afforded by those treaties, and that facilities would be given by the reduction of the duties on imports into those countries. But he begged the House to remember what had been said by the right hon. Baronet, the First Lord of the Treasury, on a former occasion; he said,—

> "That whether foreign countries reduce their duties on our exports or not, we will reduce our duties on imports, if it be for the benefit of this country."

Having held this out to the world, and then to talk of negotiations, seemed to him to be little less than absurd. It was like making your mind to give a certain sum for an estate, letting it be known that you had made up your mind, and then expecting when you offered to buy it to secure it for a less sum. The right hon. Gentleman had declared, that he would in every case adopt a certain course, whether other countries did certain things or not, and then negotiations were talked of, to obtain something from them for our doing what we intended to do for our own benefit. What had the right hon. Gentleman said as to these foreign treaties? He said, that America and other countries would, in the course of time, find out the fallacy of the protective system, and that then they would give increased facilities for the exports of foreign countries. This, it appeared then, was to be left to "the course of time," and, in the meantime, the country remained deprived of the anticipated benefits from a reduction of our own import duties which had been spoken of. But if her Majesty's Government had discovered the fallacy of the protective system, why, he asked, did they not act on the principle, the adoption of which by foreign countries they advocated? What was our position in reference to foreign countries? We talked as if we had everything to ask, and nothing to give in return. But was this our position? How was it with regard to Brazil? There was a duty of 20 per cent. upon the importation of our goods into Brazil, and of nearly 400 per cent. upon the importation of their sugar into England. This was the spirit in which we had been acting all along with regard to foreign countries; and it could not be calculated what amount of difficulty was created by the adoption of such a course of dealing. Take the case of America; our laws operated as an absolute prohibition of the trade of the United States in the great articles of their production, and although the United States has been constantly reducing their tariff for the last ten years, up to the time they enacted their last prohibitory tariff, as the Government well knew, yet they had persisted in their sliding-scale, and in saying that they did not mean to encourage a direct interchange of goods for corn. The right hon. Gentleman (Mr. Gladstone) said,

> "Convince me that America and other foreign countries will take British goods in exchange for their corn, and I will make a surrender of the Corn-laws, but I will not on a speculation—that export will follow import—run the risk of displacing the agricultural labourer from his present employment."

A "speculation," the right hon. Gentleman said, upon a question which was so obviously plain. Did the Russians, he asked, take our goods directly? Did they take them in exchange for the Russian produce which we imported; and did the right hon. Gentleman mean to say, because the Russians did not trade directly with this country, that therefore its consumption of our goods indirectly did not increase our export trade? Did we not take the sugar of Brazils, the tea of China, and the produce of other countries, in exchange for our manufactured goods, and with that sugar pay for the produce of Russia? He would refer the right hon. Gentleman, on this subject, to an authority to which he thought that he would be disposed to pay respect, a relative of his own, bearing his name, who, in a letter published the other day in the *Morning Post* newspaper, had expressed an opinion on this subject. The Gentleman to whom he alluded fairly admitted, that the inhabitants of the western states of America, whose occupations were wholly agricultural, would gladly give us wheat in exchange for our calicoes.

> " We are told, and I believe truly (said Mr. Gladstone), that the American states lying in the vale of the Missisipi, when a population exceeding 5,000,000, whose occupation is solely agricultural, possessing great advantages from soil and climate, are confined, and their energies cramped by the want of markets for their produce, and therefore unable to purchase such manufactures as ours, of which they stand in need; that such is also the situation of certain countries in South America, that lie on the shore of the Pacific, particularly Chili, where wheats are raised of a superior quality at a very moderate expense. These countries are without manufactures; and I am led to believe that they are *boná fide* well disposed, and desirous to encourage the importation and consuption of ours, provided their only production, corn, could be taken in payment."

Now, this was the opinion of Mr. Gladstone senior, which he submitted to the right hon. Gentleman as a high authority, that if American corn was admitted free of duty, he might expect to secure an export of goods to that country. What had the right hon. Gentleman said—

> "Convince me that the export of goods will follow the importation of corn, and I will surrender the Corn-laws."

And why? Because he saw that if there was an export of goods, there would be increased trade, and consequently a compensation afforded to the landed interest, for the greater competition which would take place in the home market in the sale of provisions. Therefore it was that he said, that if they could convince him of that simple proposition, which no reasonable man doubted, he was bound to surrender the Corn-laws. When this was asserted he felt that the days of the Corn-laws were numbered. Then as to the uncertainty which hung over the agriculturists. What did the right hon. Baronet at the head of her Majesty's Government say? He said, that there was no proposition which would give the landed interest a better security against future change than that which they now possessed, except the total repeal of the Corn-laws. " For," said the right hon. Baronet, " then the law ceasing to exist, there will be nothing left to change." He would tell the House that the right hon. Baronet was right, for so long as there was a Corn-law, so long would there be Anti-Corn-law agitation. The hon. Member for Shrewsbury had candidly stated the principle on which the Corn-laws were maintained. In his observations, there had fallen from him a remark which was greatly cheered by hon. Gentlemen opposite, a circumstance which showed that the sentiments once professed by the illustrious Duke in another House still existed —namely, that there was to be preponderance, as he said in favour of the landed interests. The right hon. Gentleman (Sir Robert Peel) had said the same on a former occasion; he said that those laws were not maintained from a consideration of trade, or of the home market, or of finance, but with a view of maintaining the landed interests in their present position in the social scale. And even if it were shown that the landowners would be no worse absolutely from a repeal of the Corn-laws, still if they were to be worse relatively—if the manufacturing interests having full scope for the development of their powers, and if by their successful exertions the manufacturers should bid fair to rival or surpass the landowners in wealth and importance, the repeal of these laws could not be allowed. He told the House that the manufacturing and commercial community would not submit to be told that they were to be a secondary class—they would not submit to be told that they should enjoy only so much trade as would suit the views of the landed interests. [" Oh, oh."] Gentlemen cried " oh," but what was meant by the preponderance of the landed interests? Preponderance meant the putting of one class above another. The agriculturists could not maintain their position above the manufacturers by their own energy and enterprise, and they determined, therefore, to maintain their own preponderance by depressing the manufacturing community. Would any one tell the House what was meant by the word "preponderance?" It was said that it was the protection of native industry. There was not a man he believed, north of Suffolk or Essex who did not know that corn imported into this country in exchange for manufactured goods was just as much the production of native industry as if it was the growth of our own soil; and he maintained that the manufacturing interests had just as good a right to supply the British market with provisions as the agriculturists. When the statements of the distresses of the people were disputed, when they were told that they overstated the declining condition of trade, he felt that in coming to that House and asking for the repeal of the Corn-laws as a mere matter of indulgence, was to place themselves in an unworthy position. He maintained that it was the agriculturists who had imposed the restraints on trade—it was for them to show the advantage of sustaining those restraints. He knew that he should be told of vested interests; but who had created those vested interests but the agriculturists themselves? Having created them, they now turned round upon the manufacturers and the commercial community, and said, "We would give up these laws, only we have vested interests in them." He maintained that the farmer ought never to have been told that his interests should be peculiarly protected; and that now that the day of retribution was at hand, it was on the shoulders of the agriculturists themselves that the full weight of the responsibilty should rest. They had heard much of the agricultural labourer; but it was a remarkable fact, that on looking at the inquiries which had taken place into agricultural distress, it was found that just at such periods, the labourers were the best off. During the very last inquiry, it was shown, that though many farmers were then pinched and straightened, and were in a state of bankruptcy, the labouring classes were never in a better condition. The landowners and the Corn-law advocates, had never shown that the agricultural labourer had any interest in the maintenance and continuation of these laws. Committees of that House had proved the contrary, and when he was told that the Corn-laws were retained for the defence of the agricultural labourer, he referred them to their own inquiries, where they had had ample means and opportunities of establishing this proposition, if it were capable of being established, but where they had totally failed in showing that such was the fact. But, supposing their representation to be true, why should the interests of the manufacturer be sacrificed for the purpose of giving employment to a certain number of agricultural labourers? He did not know on what principle one was to be sacrificed to the other, or why the manufacturer should be sacrificed in preference to the agriculturist. The great absurdity was this—that a barrier was put against the employment of labour, in a field which was expensive, and might be extended by reason of a foreign trade, and that employment was restricted to a field which, by its very nature, was of limited extent. There had been a statement made which he thought hon. Gentlemen on that side of the House were bound to rebut with the utmost indignation. It had been insinuated that the Members of the Anti-Corn-law League had by the violence of their speeches, and by the insinuations which they had thrown out at public meetings, induced men to commit unlawful acts. Now he was prepared to say, that if there had been at any of the meetings of the Anti-Corn-law League any remarks that could be for one moment supposed to allude to the commission of such acts as had been alluded to, he said at once that there were no men in this country more likely than the persons who were in the habit of attending those meetings to denounce with indignation the propounder of such suggestions. He denied that the speeches which had been delivered possessed the character ascribed to them. But it was said, that those meetings had been the original cause of the disturbances which had taken place. If that were so, why did not the right hon. Baronet the Secretary of State for the Home Department, who had sent a commissioner to inquire into the origin of the disturbances, lay the report of that commissioner on the Table of the House.

Sir *J. Graham*: I did not send a commissioner, there was no such report as the hon. Member alludes to.

Mr. *Gibson:* The Solicitor of the Home Office had sent Mr. Gregory into the manufacturing districts; and he had gone in two capacities:—one, professionally to assist in the legal proceedings against certain persons in custody, the other of a confidential nature. What could have been the second object of Mr. Gregory's exertions? He was sent down at the precise time of the disturbances; he had some duty of a confidential nature to perform, and, considering that he was the solicitor of the Home-office, was it any great tax on the belief of the country to suppose that he had had instructions to inquire into the origin of the disturbances which had arisen, and that, having nothing to say on the subject that was satisfactory to the Members of her Majesty's Government, it had been thought right that he should hold his tongue? That was the fair construction to be put on his mission and his silence. But he would ask hon. Gentlemen to apply their minds to the denial of the Anti-Corn-law League, that they had had any thing to do with the late disturbances. The Anti Corn-law League was composed for the most part of manufacturers;—of men who employed nearly two-thirds of the population of parts of Lancashire, and to whom the country was indebted, not for having instructed the people to break the peace, but for having opposed all measures of disturbance, and he asked whether men whose property was most exposed to destruction and waste were likely to commit acts the tendency of which was the creation of disturbances and a contempt for the law? Was there any property so exposed to the operations of a lawless mob as that of the manufacturers? and would not their own interests induce them, above all others, to prevent a breach of the peace? There was a much more plausible argument for accusing the opposite party of that which they laid to the charge of the League. He did not make assertions without being ready to substantiate them. He believed that the disturbances had originated in the reduction of wages; and the first reduction of wages had been made by Conservative firms, and not by firms belonging to members of the Anti-Corn-law League. He did not throw out this as a charge against those persons, because there was nothing which he so much deprecated as the doctrine of teaching the people that their masters could give them any amount of wages they pleased; and that, in fact, to reduce the amount of wages was to rob the artizan of the fair reward of his labour. There were no doctrines better calculated to bring about disturbances than these. The Conservatives began the reduction of wages because trade had declined and their profits had diminished; indeed, he believed the cotton trade never was in a worse condition. But what did the Conservatives say in the speeches they made in various places? and, above all, what did they say in their organs of the press? Both by speech and writing they tried to excite the labouring classes against their masters. ["No, no."] But he said yes, and he would prove his assertion. He would read one or two extracts which appeared, before and after the disturbances, in the *Standard* newspaper, which was acknowledged to be the organ of her Majesty's Government. ["No, no."] Then, at any rate, it was the organ of the Conservative party. He said this without hesitation, because he knew that at any rate newspaper editors did not write articles which were not congenial to their readers. He did not make the charge against Gentlemen opposite, and should not have said a word about the matter if hon. Members had not got up in that House, and imputed to the members of the Anti-Corn-law League acts little short of murder. Would the Gentlemen belonging to the Anti Corn-law League silently submit to be charged in this way? He felt bound to rebut such accusations, when brought against himself and his Friends. The charge was unsparingly made that the Anti Corn-law League were doing all in their power to work the labouring classes into a state of rebellion, and accused the Members of that body of making speeches which almost led to the commission of acts of murder. Let the House then see what the *Standard* newspaper said on the subject of the treatment of the labouring classes by the manufacturers. The *Standard* newspaper, previously to the breaking out of the disturbances, said,

> "Any appeal to justice, to humanity, is utterly out of the question. The die is, therefore cast, that the wages of the labourer are to be measured by the power of purchasing what will barely support life, including the contingency of premature discussion."

This, be it recollected, was particularly addressed to the labouring classes in the manufacturing districts and just before the disturbances. Again, about the period of the disturbances, it was stated in the same newspaper;

> "There is no real excess of labour, though you, the mill-owners make an artificial excess of your own profit; you violate the order of nature by working women and children in rivalship with men one year, with the certainty of abandoning all, men, women, and children, the next year to famine."

Again, a few days afterwards it says:—

> "When before have English men, English women, English infants, had to work under the cudgel and thong for more than ten hours a day."

He found also, in an article of the same newspaper, about the same time. the following passage;—

> "As a mere matter of policy, therefore, the course which has been pursued by the manufacturing capitalists has been most injudicious, putting altogether aside the consideration of reciprocal moral duties or Christian feeling for the poor or oppressed. The impression continues uniform that the misguided persons that have been or may be guilty of excesses during the excitement of the strikes should be as leniently dealt with as is consistent with the supremacy of the law."

He did not deny that these persons should be leniently dealt with; but were not the opinions which he had just read equivalent to teaching the labouring classes the pernicious doctrine that masters could keep up the rate of wages to the labouring classes as they pleased, and that to reduce wages was nothing more nor less than to rob the labouring classes. He would ask, could anything tend more to excite the people in the manufacturing districts against their masters than the utterance of such sentiments as these. He would read one more passage from the *Standard*, which was written after the disturbance had subsided.

> "A longer continuance of the turn-out, however, must exhaust the Savings-banks deposits, and reduce the labouring manufacturers to utter destitution—a circumstance of which the mill-owners will know how to take advantage in the next adjustment of wages. The expression of feeling among the manufacturing labourers has gone already as far as it can be useful, and in many instances something too far. The attention of the Legislature must be directed to the subject next Session, and doubtless a good factory-law and a greatly amended Poor-law will be the result. Let the manufacturing labourers look patiently for these benefits. Any further active proceedings can only injure themselves."

Gentlemen opposite then chose to indulge in charges which they could not justify, and they refused to hear the defence. But did not the extract which he had just read look very like a suggestion to the labouring people to act against machinery. He would ask the right hon. Baronet who sat opposite whether he was not aware that mills had been burnt and machinery had been destroyed in the manufacturing districts in the presence of the police, the magistracy, and country gentlemen, and not one hand was held up to protect this property. [*Cries of* "Where."] Why, in the manufacturing districts; and he was sure the right hon. Baronet could confirm his statement, if he were appealed to. He could produce evidence to show where mills had been destroyed under such circumstances. He felt that he had already trespassed on the attention of the House long enough, but, before he sat down, he would call upon her Majesty's Government to pause and reflect on the great difficulties in which the country was placed. Her Majesty's Ministers had not brought forward any remedy for the removal of the distress of the country, and by their refusal to assent to the present motion, they showed themselves indisposed to take the distressed state of the country into their consideration. The position of the country was not in the least degree altered, nor would the existing distress be lessened by the sound principles propounded by the right hon. Gentleman the Vice-President of the Board of Trade. The House had been told that the principles of free-trade were sound, and that on the continuance of our foreign trade the very existence of the labouring classes depended, and that the agricultural classes would be ruined by the cessation of our foreign trade. Gentlemen opposite had been told that by the adoption of the principles of free-trade, they would maintain the same position which they now held—their condition would not be deteriorated, and they would have as large a rent-roll as they had at present. They were not told so by him, for he could have no weight with them, but by the right hon. Gentleman, the Vice-President of the Board of Trade, who said that by extending the foreign trade of the country, they would increase its prosperity and add to the value of land,

and that by continuing the present system they were endangering, not only their own best interests, and those of other classes, but also the existence of the institutions of the country, and of the maintenance of law and order. He had no hesitation in telling Gentlemen opposite that by maintaining injustice, they were the parties who could bring about disorder, and those who exposed and repelled injustice would save the country. The Anti Corn-law League had only done its duty, and would continue to do its duty. It would be much better for Gentlemen opposite at once to surrender their injustice while there yet remained a chance of saving a portion of the export trade of the country, instead of postponing redress until it would no longer be possible to save our trade and retain for the country that commercial superiority which had made her eminent amongst the nations of the world.

Lord *F. Egerton*, said at that late hour of the night he should endeavour to compress into the smallest possible space any observations he might deem it his duty to make. He was satisfied, whatever the object of the noble Lord might be in bringing forward this motion—for there had been some dispute and difference of opinion as to that object—that the noble Lord himself would be the last to take advantage of his motion, and impute to any Gentleman who differed from him on that (the Conservative) side of the House that that difference arose from want of sympathy for the prevailing distress, which all acknowledged and lamented. They had been told, indeed, and by those who, he thought, had stamped this motion with a very party character, that they were supporting a Government which had deranged every thing and supported nothing. He thought that reproach came not with a good grace from those of the late Government who, whatever might have been the character of their policy, it must be admitted (he did not presume to say from want of ability or public virtue), had left such an account to be settled as it was rather hard to expect, after their having been ten years in office, that their successors, be they whom they might—the angel Gabriel, Sir Robert Peel, or any other being, should settle. With regard to one part of the speech of the late Chancellor of the Exchequer, with regard to our transactions with foreign nations, he (Lord F. Egerton) had been under the impression, that certain articles were exempted from the tariff by her Majesty's Government for the purpose of becoming the subject of negotiation with foreign powers. If wrong, he was liable to be set right. But when the ex-Chancellor of the Exchequer said, "You have deranged every thing and settled nothing," he presumed, of course, that that right hon. Gentleman meant as a deduction from his argument that this motion was at once to settle that which now remained, as was said, unsettled. He would ask the late Chancellor of the Exchequer, if he were to return to ornament the Treasury bench, if he would give that answer? Would not the motion of the noble Lord be supported that night by the representatives of a body of men who were associated to no other purpose than to lead the public to this conclusion,—that nearly all the evils under which the country was groaning were deducible from legislation for the agricultural interests? That was admitted. They (the representatives of the Anti-Corn-law League) said the only remedy for the distress was by the removal of agricultural protection. This was a point on which he humbly presumed to differ from the organs of that body. He acknowledged with pain and sorrow that the distress was great—that the greater or less amount of it was not worth dispute — that it was great enough to demand all their sympathy. If he thought by conceding to the motion of the noble Lord he could advance one day or one hour the relief of that distress, he would not oppose it, but would vote for it with as much zeal and readiness as he now opposed it. It seemed to him that some little imprudence of language had been used. He found that he and others stood charged with having promoted the offences of which he was partly an eye witness last summer; and he was told that that insurrection in the manufacturing districts began with the reduction of wages by Conservative millowners. He had not seen any report furnished to the Government of the particular transactions of that unfortunate period, but he certainly had heard it universally reported that the origin of that outbreak was the reduction of wages by a certain Mr. Bailey, and that that gentleman was a leading and active member of the Anti-Corn-law League. He did not himself bring forward the charge against Mr. Bailey, or against the Anti-Corn-law League of having originated these disturbances; he was perfectly aware that that body contained, as did most large associations, many gentlemen of great private worth, great property, and considerable ability—many gentlemen whom he should respect if he had the honour of their acquaintance; but when he was told that it was impossible for a body of men acting together, stimulated by public meetings on a subject on which extreme excitement prevailed, to make speeches and to perform acts which might lead directly or indirectly to such effects as he thought had followed, it was disproved. There had been no country at any time where the population had been suddenly roused without much previous irritation, into cutting one another's throats. He knew as well as the hon. Member that machinery was in as great danger from these outbreaks as any other species of property. He must say, however, that many gentlemen who were owners of machinery, and who cried out against a standing army or armed bodies of volunteers, were glad to avail themselves of the aid of that force. He had known gentlemen who formerly had a horror of the sight of a red yeomanry coat most clamorous for the distant appearance of scarlet as a beacon of safety. He had known those men the loudest against the services of the yeomanry positively step forward to keep the yeomanry in their own town, for their own protection, against the positive orders of the Commander-in-Chief. These were lessons taught by experience. It was impossible to argue, *à priori*, that the Mayor of Bolton would so far overcome his former horror of yeomanry as to wish for their presence. He thought it would be very ill judged to give further publicity to the speeches of the Anti-Corn-law League by quoting them there. He had no doubt the parties who made them were ashamed of them since. But they were often told that it was a very just reproach upon many gentlemen who took an interest in such debates as these, that they talked a great deal without proposing any practical remedy. Now he had a remedy to propose—a partial, a slight, a temporary one, one to which he attached no weight, but one which he sincerely thought would not be without its effect. He thought that the period of the distress, if it were to happen at all by any measure, would be rather by the voluntary dissolution of the Anti-Corn-law League. He left it to her Majesty's Government in all such cases to consider whether any active measures should be taken against the proceedings of that body or not; but he retained his opinions that a graceful and voluntary act of dissolution on the part of the Anti-Corn-law League would be the most likely measure to put a period to the distress. He did not give this in the nature of advice, because he thought his advice would not be followed; but he stated it as his deliberate opinion. He would tell them why. In these times of railroad travelling the public carriage was a place in which much information might be gathered by those who kept their eyes and ears open; and this he experienced the other day, when he found himself the travelling companion of two gentlemen who conversed most unreservedly together about their own affairs; but the relation of what they said would be no breach of confidence. They were both, it appeared, largely concerned in the cotton trade, and they had just been to Liverpool to learn the prices of goods and the state of business there, and they were agreed upon one point—namely, that trade had revived to a certain extent, and that the subsequent depression was to be attributed to an article which had appeared in the *Manchester Guardian* newspaper, announcing the proceedings and intentions of the Anti-Corn Law League. He must guard himself, however, from being accused of attacking the editor of that paper, which, as far as he had observed, had pursued a very sensible course with regard to the Anti-Corn-law League. One of his companions in the railway carriage told the other that only a short time before an order for 20,000*l.* worth of goods had been recalled, in consequence of that article. And yet the article did not seem to have been composed in that kind of language which the gentlemen belonging to the Anti-Corn-law League had indulged in *usque ad nauseam*. The two travellers were not rabid supporters of free-trade, nor were they determined friends of his right hon. Friend at the head of her Majesty's Government. One of those gentlemen praised the abilities of his right hon. Friend, but he was sorry to inform him, that the gentleman was in favour of a fixed duty on corn. [*Cheers.*] He would take the liberty of informing those hon. Gentlemen who cheered him, that the gentleman put his fixed duty as high as 12*s*. He thought he was fully entitled to say, respecting the League, that the operations of that body had had effects which very many of them sincerely regretted, and which at the same time had had an effect obviously opposed to their interest. With respect to the question of the distress of the country, he must, before he sat down, say, that he believed there was one point respecting it which had frequently been overlooked. Hon. Gentlemen on the other side of the House had attributed that distress entirely, or almost entirely, to the existence and continuance of the legislative protection to corn. He (Lord F. Egerton) thought this opinion had been much over-stated; he was far more disposed to attribute its origin to circumstances which were only so far more satisfactory, as they did not involve censure and blame on man, or men, or systems, which the contrary theory supposed. He was inclined to believe that the remedy—that the cause of the existing distress—was far more difficult to deal with than was imagined. He considered that the origin of it was not in the protection to agriculture, but in the fortuitous protection, in the unnatural stimulus given at a former period to our manufactures. He considered that this protection had been afforded in a shape which had originated in circumstances in which they (the Parliament) were but the blind and passive agents. He believed that it was our peculiar and insular position which gave us security, at a time when danger, and bloodshed, and ruin were devastating the rest of the world, which had also given us that unnatural stimulus which we were not entitled to have, which we ought not to have had, and of which we still continued to feel the effects. It was the development and the result of this factitious state of things that had much more to do with the distress of the country, than those who railed at agricultural protection, and at the agriculturists themselves, were willing to admit; and on this part of the subject, he thought the hon. Gentleman who had just sat down had spoken in a tone and manner not calculated to conciliate those who differed from him on the matter. The hon. Member wished to ascertain who they were that were responsible for these vested interests. For his (Lord F. Egerton's) own part, when the question was as to a large portion of the community suffering distress, from whatever circumstances, he cared not who was answerable, nor under what political circumstances, he did not feel that he should be justified in exhibiting indifference, or in avoiding the question, merely because Members of the House, or their fathers, or their grandfathers, might be said to have had something to do with its origin. But he had expressed his opinion as to the real origin of this distress. It might, indeed, be said, that British industry had risen and flourished, not in the sunshine of heaven, but "wrapt in whirlwinds and begirt with storms," as when the fury of the tempest swept over the rest of Europe from Gibraltar to St. Petersburgh, and, while it carried destruction and desolation in its train, left this country unscathed. But what conclusion was he to draw from that? The conclusion was, however paradoxical it might seem, that peace was a proximate cause of the distress which had come upon us, removing as it did, to a certain extent, the peculiar advantages which our insular position and other circumstances had given us, when war raged elsewhere. Did he say, then, that the renewal of war was the remedy to which we should apply? God forbid! And he considered that the country was especially indebted to the present Government for having closed the temple of Janus; for having put an end to the horrors of war in the East. The suggestion he had thrown out would lead to the conclusion, that in dealing with this subject men should treat the actions and motives of other men with more charity than had been manifested in this debate, reflecting that the results so to be deplored might be attributable to circumstances over which no human prudence or foresight could have control; and that, in arraigning the projectors and supporters of a particular law as the cause of the distress, they might, perhaps, be, in reality, arraigning the men who had stood forward so gloriously in the defence of their country; they might be arraigning a Nelson or a Wellington; nay, they might even be arraigning Supreme Providence itself. It was observable, that some symptoms had exhibited themselves, which tended to show that Gentlemen who looked deeper into these subjects than he and the generality of men did, had of late turned their attention to them in a way which had considerably modified their opinions on them. An extract had been read from the recent work of Mr. M'Culloch, and which it was not necessary for him again to read; he would only observe, that he thought this extract must have startled some of the acolytes of that gentleman's former school. If he could translate that passage right, it meant neither more nor less than this, that if superhuman sagacity had governed this country, at the period when steam-power was in its infancy, it might have possibly considered it not unwise to tax steam-power in this country. He did not agree in this; and it appeared to him that as to any suggestion for taxing steam-power at the present time, it would be mere insanity; but, certainly, that which had been quoted showed that there was not so much difference now between Mr. M'Culloch, and those Gentlemen who had been so much abused by some of Mr. M'Culloch's former disciples.

Mr. *Cobden:* We have heard much objection made to the form of the motion; we have heard it charged as being a party motion. Now, Sir, I can at all events say, it is not a party motion as far as I am concerned; I was absent from town when it was put on the books. I am no party man in this matter, at all events; and if I have any objection to the motion it is this, that whereas it is a motion to inquire into the manufacturing distress of the country, it should have been a motion to inquire into manufacturing and agricultural distress. If the motion had been so framed, we should not have had the words manufactures and agriculture bandied between the two sides of the House, but we should have had the Gentlemen on the other side of the House put in their proper position as defendants, to justify the operation of the law as it affects their own immediate interests. I ask you, are the agricultural districts of the country in such a state now, that you are entitled to say that this law—for this has been made a Corn-law debate—that this law, which injures the manufacturers, has benefited the agriculturists? There is the hon. Member for Dorsetshire, one of the most clamorous assailants of the Anti-Corn-law League, he will probably speak on this question—there is plenty of time—the debate may be adjourned if necessary—and when he speaks he can answer me, and correct me if I am wrong. Take the district of Dorsetshire, which the hon. Gentleman represents. Take his own property. I ask him, are the labourers on his estates receiving more than the miserable pittance of 8*s.* a-week at this moment? I ask him to disprove me if he can, when I state that the labourers in his neighbourhood are the worst paid, the worst clad, and the most illiterate portion of the population of this country. I tell him that the peasantry on his own estates, earning these 8*s*. a-week, if their families average the usual number of five, that then the head of each of these families is sustained at less cost than the cost of the maintenance of each person in the county gaol of Dorsetshire, and I ask you—you with your peasantry at your own doors, living worse than paupers and felons—I ask you, are you entitled to assert, and will you maintain, that the present state of things is for the benefit of the agriculturists? I put you on your defence—I call on you to prove the benefit which this law confers on the agriculturists. Mind, I do not call you agriculturists, the landlords are not agriculturists; that is an abuse of terms which has been too long tolerated. The agriculturists are they who cultivate the land, who work at it either with their hands or their heads, and employ their capital on it; you are the owners of the land, who may be living at London or Paris: to call yourselves agriculturists, is just as absurd as if shipowners were to call themselves sailors. I deal with the agriculturists, and not with the landowners—not with the rent owners; and I tell you that you cannot show me that the labouring classes on farms are as well off as the much deplored manufacturing population. I myself employ a number of men; my concern is in the country like your own. I have a number of labourers like yours, unskilled labourers, as unskilled as your own. I employ them in washing, cleansing, wheeling, and preparing materials, and I pay them 12*s.* a-week; but I have no protection. Take Devonshire, Sussex, Wiltshire, Oxfordshire, and other agricultural counties, which send up their squires to this House to support this odious system, and any of these counties will shew you a larger ratio of paupers than the manufacturing districts. Take Dorset; there has just been laid on the Table of the House a return of the population and revenue, and here we find, that in the year 1840, the very year in which we were blessed with wheat at 66*s.* a quarter, one out of every seven of the population in Dorsetshire was a pauper; and if we go to Sussex and the rest of the counties which send representatives to support this system for the benefit of the agriculturists, there we shall invariably find the largest amount of pauperism. I will turn to the farmers. The hon. Gentleman, and other hon. Gentlemen, are pleased to designate me as the arch enemy of the farmers. Sir, I have as good a right as any hon. Gentleman in this House to identify myself with the order of farmers. I am a farmer's son. The hon. Member for Sussex has been speaking to you as the farmer's friend; I am the son of a Sussex farmer; my ancestors were all yeomen of the class who have been suffering under this system; my family suffered under it, and I have, therefore, as good or a better right than any of you to stand up as the farmer's friend, and to represent his wrongs in this House. Now I ask you, what benefits have the farmers had from this protection of which you speak so much? I put you on your defence, and I again call on you to show how the farmers can possibly derive higher profits from your law to enhance the price of the produce of the soil of this law? You must answer this question; this has not been shown yet at any of your agricultural meetings, where you tell the farmers that you must sink or swim together and that you both row in the same boat. But the time is coming, and on the next quarter day you will be called upon to show the farmers—upon whom some little enlightenment is now creeping—to show how he has hitherto gained, or can gain, any benefit from this legislation. You will have to answer this question from intelligent farmers.

"If there be more farmers than farms, then will not the competition amongst us for your farms raise the rent of the land? and will there not be a proportionate value of the produce to whatever value you may give it in your acts of Parliament."

The same intelligent farmer may tell you,

"If there were more farms than farmers, and if you raised the value of your produce, you would be bidding against each other for farmers, and then I could understand how the farmers could get some benefit in the shape of extra profit, for you would be compelled to pay him better for cultivating your farms."

Now, all this has been made as clear as noonday. The hon. Member for Dorsetshire, has maligned the Anti-Corn-law League as an association for disseminating not useful but disagreeable knowledge. Every farmer in Dorsetshire has had a packet. Every county voter of Dorsetshire has received a little packet containing about a dozen little tracts. This has not been left to casual distribution; it has not been intrusted to the Post-office; but special agents have gone from door to door, climbing the mountains and penetrating the valleys—there is not a freeholder in the country who does not know as much about the matter as we ourselves. Do you think we shall hear next year, at the agricultural meeting at Blandford, the hon. Member for Dorsetshire telling his hearers that "the Corn-law is the sun of our social system, that it gilds the spire of the church, the dome of the palace, and the thatch of the cottage?" There will be some black sheep, who will shout out, "and the chimney of the landlord." We have had during this debate a great deal of criminatory language cast at this body. Far be it from me to enter into such extraneous matter as the objects or proceedings of that body. I shall not think it necessary to answer the very amusing gossip in a stage-coach which has been related to us. But attacks have been made upon this body at other times. The right hon. Baronet made a dark insinuation against it at the close of last Session, when there was no one to answer it; and we have had the cry raised since, that the Anti-Corn-law League is an incendiary and revolutionary body. We took no pains to refute that charge. How have the public treated your accusations? The shrewd and sagacious people of England and Scotland have given bail for the morality and good conduct of the maligned body in the amount of 50,000*l.*, and let the same slander go forth another year, and I am sure that the people will then enter into recognizances for the same body to the extent of 100,000*l.* No, it is not necessary that I should enter into the defence of such a body. There has been an attempt, an alleged attempt, made to identify the members of this body with a most odious—a most horrible—I might say, a most maniacal transaction which has lately occurred. An attempt has been made in another place—reported to have been made—to suggest that the proceedings of the League were to be connected with that horrible transaction. I do not —I cannot—believe that this report is a correct one; I cannot believe that either the language, or the spirit of the remarks attributed to an eminent and learned Lord are founded on anything that really took place. If it did take place, I can only attribute it to the ebullition of an ill-regulated intellect, not to a malicious spirit. This trick of charging the consequence of injustice upon the victims of injustice, is as old as injustice itself. Who does not remember that, when this infamous law was enacted in 1815, Mr. Baring, now Lord Ashburton, was charged, in this House, by one of the Ministers of the day, with having caused all the riots, murders, and bloodshed which ensued in the metropolis, merely because he had been one of the most pertinacious opponents of the law, denounced it in the House as a mere scheme to raise rents at the expense of the commercial classes, and the welfare of the community. Sir, if there be anything which can add to the gratification I feel at having taken an active part in this body, it is, the high character of those with whom I have been associated. [Oh, oh!] Yes, tested by their utility, tested by their public character and private worth, they might justly be compared to the Members of that House or of another more illustrious assembly. But enough of this subject. I will now turn my attention to the question before the House. Last Session, the Anti-Corn-law party put the question, what was to be done for the country? That is the question I now put. I say to the Government —I say to the right hon. Gentleman opposite, what do you now think of the condition of our trade, and the condition of the country? I gather, from what has fallen from hon. Members on the other side, that this motion is to be resisted. The motion is to be resisted, but what are the reasons for resisting it? How is the question met by the Government? It is alleged that there is a great discrepancy of opinion on this side of the House. I admit it. There is such a discrepancy between some Gentlemen on this side and myself, between the noble Lord, the Member for North Lincolnshire and myself, there is as great a difference of opinion as between me and the Gentlemen on the other side. The party on their side is as the hon. Gentleman opposite described, it is broken into atoms, and may never be re-united. But does that diminish the responsibility of the Government, which is strong in proportion as the Opposition is weak. Are we never to escape from this mode of evading responsibility, this bandying of accusations about Whigs, Tories, and Radicals, and their differences of opinion. Is that cry always to be repeated and relied on? How long, I ask, is this course to be continued? How long is the argument to be used. If it be continued, what defence will that be for the Government? There always have been differences of opinion on both sides of the House, but that can be no excuse for the right hon. Baronet at the head of the Government, who took the reins of power into his hands on the avowed responsibility of bringing forward measures to meet the exigencies of the moment. But there is not one measure of importance adopted by the Government which has not been taken out of the school of the free-traders. The Colleagues of the right hon. Baronet who have spoken on this occasion, have introduced the Corn-laws into this debate, and have discussed that subject in connection with the present distress. But what says the right hon. Member the Vice-President of the Board of Trade? Why, he says, that there are not two opinions on the subject of free-trade. What says the right hon. Baronet at the head of the Government? Why, he says, that on this point we are all agreed. And the right hon. Baronet the Secretary of the Home Department, says that the principles of free-trade are the principles of common sense. And last night, to my amazement, the Chancellor of the Exchequer said, there are not two opinions on the subject, and there never was any dispute about it. The noble Lord the Member for North Lancashire, who has not yet spoken, will, I believe, justify by his vote the same principles. Again, the right hon. Gentleman the Paymaster of the Forces must adopt the same course. That right hon. Gentleman and that noble Lord, may not have avowed free-trade principles, but they must, as men of morality carry those principles into effect, for both of them have averred that the Corn-laws raise rent. The right hon. Gentleman the Paymaster of the Forces has expressly declared in this House, that the Corn-laws were passed to maintain country gentlemen in their station in the country. The noble Lord the

Member for North Lancashire has said that the Corn-laws raise the price of food, and that they do not raise wages; the noble Lord, therefore, says that the landed gentlemen increase their rents at the expense of the profits of the middle classes. They must carry their principle into their conduct. Now, taking the four Members of the Cabinet who have avowed free-trade principles, and assuming that the two others by their addresses must be favourable to them, I ask why do they not carry their principles into effect? How am I met? The right hon. Gentleman the Vice-President of the Board of Trade admits the justice of the principles of free-trade. He says that he does not want monopoly, but then he applies these just principles only in the abstract. Now I do not want abstractions. Every moment that we pass here, which is not devoted to providing for the welfare of the community, is lost time. [*Cheers.*] I tell the hon. Member that I am a practical man. I am not an abstract Member, and I ask what we have here to do with abstractions? The right hon. Gentleman is a free-trader only in the abstract. We have nothing, I repeat, to do with abstractions here. The right hon. Gentleman used another plea. He said that the system has been continued for centuries and cannot now be abandoned. If the Attorney-general be in the House, and I hope he is, what would he say to such a plea in an action of trover? Would he admit the plea? Would he say, "I know that you have right and justice on your side in the abstract, but then the unjust possession has been for so long a time continued that it cannot be at once abandoned?" What would be the verdict in such a case? The verdict would not be an abstract verdict but one of restitution, of total and immediate restitution. The right hon. Gentleman has made the admission that these principles must be carried out, and he says that the Corn-laws are temporary. I ask why the Corn-laws are temporary? Just laws are not temporary. It is the essence of just laws to be eternal. You have laws on your statute-book against murder and robbery, and no man says they should not be continued. Why, then, are the Corn-laws to be temporary? Because the Corn-laws are unjust. Because they are neither right nor expedient. They were passed to give a benefit to the country gentlemen, and raise them in society at the expense of the rest of the community. The hon. Member for Bridport made to-night a declaration against the Anti-Corn-law League, but he pronounced it with such gentle accents, he put so much sweetness into his denunciation, that he deprived it of its effect. That hon. Member is a young man, and perhaps is not aware of the force of what he said. But that hon. Gentleman, too, made an admission which will not sustain your system. The hon. Member said, that if the Corn-laws were repealed, the aristocracy would be forced to reduce their rents, and could not live as an aristocracy. The Gentlemen who make those admissions are the real incendiaries, the real revolutionists, and the real destroyers of the aristocracy. I must put the honest part of the aristocracy on their guard against them, and must tell them not to allow themselves to be included with those who fear destruction from the repeal of the Corn-laws. They must know that an aristocracy cannot maintain its station on wealth moistened with the orphans' and the widows' tears, and taken from the crust of the peasant. The question has been brought before the country, and the decision must be adverse to them. The people are well aware of their conduct. They may talk about an increase of one or two mills, or of the increase of joint-stock banks, but I call attention to the condition of the country, and I ask you if it is not worse now than it was six months ago? It has been going on from bad to worse. And what is the remedy you propose? What are the proceedings by which you propose to give relief to the country? Is it an abstraction? You cannot say that we are at the close of the Session; or that you are overloaded with public and private business. Never before were there so few measures of importance under the consideration of Parliament at such a period. Have you devised some plan then, of giving relief to the country? If you have not, I tell you emphatically, that you are violating your duty to your country, you are neglecting your duty to your Sovereign if you continue to hold office one moment after you can find no remedy for the national distress. The right hon. Gentleman, however, proposes nothing. The measures which he has brought forward since he has held office have not remedied the distress of the country. It may be said of me, that I am a prophet who fulfils his own prophecy, but

I tell you your proceedings will lead from bad to worse, that more confusion will come, there are germs of it sown in the north of England. [" Hear."] Yes, not in the cotton district. The danger which menaces you will come from the agricultural districts, for the next time there is any outbreak, the destitute hands of the agricultural districts will be added to the destitute hands of the manufacturing districts. Does the right hon. Gentleman, who must know the state of the country, doubt whether this be the fact? I receive correspondence from every part of the country—but what is my correspondence to his?—and he must know, that what I say is the fact. It is time, then, to give up bandying the terms Whig and Tory about from one side of the House to the other, and engage in a serious inquiry into the present condition of the country. The right hon. Baronet cannot conceal from himself what is that condition: capital is melting away, pauperism is increasing, trade and manufactures are not reviving. What worse description can be given of our condition?—and what can be expected if such a state of things continue but the disruption and dissolution of the State? When the agitation was begun for the repeal of the Corn-laws, four years ago, the right hon. Baronet met our complaints by entering into many details, showing that our commerce was increasing, that the Savings-banks were prospering, that the revenue was improving, and that consumption was augmenting. When a deputation of manufacturers waited upon him to represent the hopeless state of trade, he refused to listen to their representations, or he met them with details of an extraordinary increase in the consumption of the people and in the revenue, and with many official statements full of hope. I ask the right hon. Baronet, can he take the same ground now? Can he tell the country, and his Sovereign, when this state of things is likely to terminate; or, what other remedy has he for this than that we propose? Can he find a better? If you (Sir R. Peel) try any other remedy than ours, what chance have you for mitigating the condition of the country? You took the Corn-laws into your own hands after a fashion of your own, and amended them according to your own views. You said that you were uninfluenced in what you did by any pressure from without on your judgment. You acted on your own judgment, and would follow no other, and you are responsible for the consequences of your act. You said that your object was to find more employment for the increasing population. Who so likely, however, to tell you what markets could be extended as those who are engaged in carrying on the trade and manufactures of the country? I will not say that the mercantile and manufacturing body, as a whole, agree with me in my views of the Corn-laws; but the right hon. Baronet must know that all parties in the manufacturing and commercial districts disapprove of his law. I do not speak of the League; I speak of the great body of commercial men; and I ask where will you find on any exchange, in England, Scotland, or Ireland, where "merchants do congregate," and manufacturers meet, twelve men favourable to the Corn-law which you forced on the community, in obedience to your own judgment, and contrary to ours. You passed the law, you refused to listen to the manufacturers, and I throw on you all the responsibility of your own measure. The law has not given the promised extension to our trade. It has ruined the Corn-law speculators. [*A laugh.*] You may laugh; but is it a triumph to ruin the corn dealers, or cause a loss of 2,000,000*l.* of money? When you have ruined the corn speculators, who will supply you with foreign wheat? The Corn-law is in such a state, that no regular merchant will engage in the corn trade. Ask any merchant, and you will find that no man, let his trade be what it will, sends abroad orders for corn as he sends abroad orders for sugar and coffee. No merchant dares to engage in the corn trade. I was offered, or rather the Anti-Corn-law League was offered a contribution of wheat from one of the western states of America, on condition that we should pay the expense of transport down the Mississipi. On calculating the cost of transport, we found it would not pay the expense of carriage. On taking the 20*s.* duty into consideration, and the expense of carriage, we found that when it was sold here there would not be one farthing for the League. When such is the case, how can such merchants as the Barings', or the Browns' of Liverpool, send out orders for corn, when there is no certainty whether they shall have to pay 20*s.* duty or any less sum when it arrives.

Such a law defies calculation, and puts an end to trade. Take again the article sugar. The right hon. Gentleman by his tariff reduced the duties on 700 articles, and he carefully omitted those two articles which are supplied by North and South America, the only two countries the trade of which can resuscitate our present declining manufactures. Yes, the right hon. Baronet altered the duties on 700 articles. He took the duty off caviare and cassava powder, but he left corn and sugar, oppressed with heavy monopoly duties. The right hon. Baronet reduced the charges on drugs, which was not unimportant, but he excluded those two vital commodities which the merchants of the country know can alone supply any extension to our trade; I will not say that this was done with a design of injuring our trade, but it was done. The right hon. Baronet acted on his own judgment, and he retained the duty on the two articles on which a reduction of duty was desired, and he reduced the duties on those on which there was not a possibility of the change being of much service to the country. It was folly or ignorance. ["Hear, hear."] Yes, it was folly or ignorance to amend our system of duties, and leave out of consideration sugar and corn. The reduction of the duties on drugs and such things was a proper task for some under-Secretary of State, dealing with the sweeping of office, but it was unworthy of any Minister, and was devoid of any plan. It was one of the least useful changes that ever was proposed by any Government. There is also the case of timber. I admit, that the reduction of the duty on timber is a good thing, but you reduced the duty, when there are 10,000 houses standing empty within a radius of twenty miles of Manchester, and when there are crowds of ships rotting in our ports. At the same time, you denied our merchant the means of traffic, by refusing to reduce the duties on the two most bulky articles which our ships carry. You reduced your timber duties when there were no factories to build, and when there was no employment for ships. That is the scheme of the right hon. Baronet—the only plan which he has to propose for the benefit of the country. Can he not try some other plan? Does he repudiate that which has been suggested by the hon. Member for Whitehaven?—and will he have nothing to do with altering the currency, to which he is invited by the hon. Member for Birmingham? The hon. Member for Shrewsbury, too, and the organs of his party in the press, had plans, but he will adopt none of them. It is his duty, he says, to judge independently, and act without reference to any pressure; and I must tell the right hon. Baronet that it is the duty of every honest and independent Member to hold him individually responsible for the present position of the country. I am not a party man. The hon. Members know I am not. This I will tell him that let who will be in office, whether Whigs or Tories, I will not sit in the House a day longer than I can with the cordial assent of my constituents, vote for or against Whigs or Tories, as I may think right. I tell the right hon. Gentleman that I, for one, care nothing for Whigs or Tories. I have said that I never will help to bring back the Whigs, but I tell him that the whole responsibility of the lamentable and dangerous state of the country rests with him. It ill becomes him to throw that responsibility on any one at this side. I say there never has been violence, tumult, or confusion, except at periods when there has been an excessive want of employment, and a scarcity of the necessaries of life. The right hon. Baronet has the power in his hands to do as he pleases. If he will not, he has the privilege, which he told the noble Lord, the late Secretary for Foreign Affairs, he had, namely, that of resigning the office which gives him the power. I say that it is his duty. It is his duty to resign office the moment he finds he has not power to carry out to the fullest extent those measures which he believes to be for the benefit of the country, But whether he does so or not, I have faith in the electoral body—I have faith in the middle classes, backed by the more intelligent of the working classes, and led by the more honest section of the aristocracy—I have faith in the great body of the community that they will force the Government, whether of the right hon. Gentleman, or of any other party, to the practical adoption of those principles which are now generally believed to be essential to the welfare of this country. The right hon. Gentleman has admitted the justice, the policy, and expediency of our principles. He has admitted then, that they must in the end be triumphant. I repeat, I trust in the middle classes, in the electoral body, in the better portion of the working classes, and in the honester part of the aristocracy, to force the right hon. Baronet, or his successors, to put in practice those principles, the justice, policy, and reasonableness of which he has himself admitted.

Sir *Robert Peel* said: Sir, the hon. Gentleman has stated here very emphatically, what he has more than once stated at the conferences of the Anti-Corn-law League, that he holds me individually—[*Great excitement*]—individually responsible for the distress and suffering of the country; that he holds me personally responsible; but be the consequences of those insinuations what they may, never will I be influenced by menaces either in this House or out of this House, to adopt a course which I consider—[The rest of the sentence was lost in shouts from various parts of the House.]

Mr. *Cobden* rose and said: I did not say that I held the right hon. Gentleman personally responsible—[*shouts of* "Yes, yes," "You did, you did,"—*cries of* "Order," and "Chair."] [Sir *Robert Peel:* you did.] I have said that I hold the right hon. Gentleman responsible, by virtue of his office—["No, no," *much confusion*]—as the whole context of what I said was sufficient to explain—["No, no, *from the Ministerial Benches*].

Sir *Robert Peel*: Sir, the expression of the hon. Gentleman was not, that he held her Majesty's Government responsible; but, addressing himself to me, he said, in the most emphatic manner, that he held me individually responsible [*Cheers.*—Sir James Graham handed a paper to Sir Robert Peel.] I do not want to overstate anything. I am not certain, on reflection, whether the hon. Gentleman used the word personally, but he did twice repeat that he held me individually responsible. I am perfectly certain of that. The hon. Gentleman may do so, and may induce others to do the same, but I only notice his assertion for the purpose of saying that it shall not influence me in the discharge of a public duty. Sir, I wish most sincerely that I had been able to conduct this discussion in the same manner and with the same temper with which we conducted most of the discussions on the tariff of last year. And now I will separate altogether, in approaching this discussion, all that part of it which relates to public interests, to the welfare and well-being of the great body of society, from that which may be assumed to be more of a party and political character. I can do that with greater ease, because I must say that the noble Lord, in the course of his Speech, set the example of so conducting the discussion. It would be, indeed, a great advantage if we were enabled to discuss matters of such importance without reference to party interests or party recriminations. I will, then, conduct all the first part of what I have to deliver to the House on the principles on which the noble Lord made his Speech on introducing the motion. The noble Lord proposes that the House should resolve itself into a committee, to consider that part of the Speech from the Throne which refers to the public distress. Sir, I approach the consideration of that motion, I trust, in a temper befitting the acknowledged and long continued distresses of this country—in a temper, too, befitting the fortitude with which privations and distress have been borne. I will consider singly and exclusively whether the adoption of the motion of the noble Lord is likely in its results to mitigate that distress or revive prosperity. I make no objection to the form of the motion of the noble Lord, if an objection in point of form could be made. There are occasions on which, if you can realise public advantage or mitigate severe distress, to urge technacalities against the administration of a remedy, would be most unwise and unbenifitting the Legislature of a great country. But, in point of form, there is no objection to be urged against the motion of the noble Lord. That motion is perfectly constitutional, and liable to no objection in point of form. If any objections are to prevail against it, they must be objections of a substantial kind. To such only will I address myself. Many hon. Gentlemen have mistaken the nature of the motion. The hon. Gentleman who spoke last, and who assumed such a tone with regard to the motion, inferred that the noble Lord proposed a committee of inquiry into manufacturing distress. The hon. Gentleman said that his only objection to the motion was, that the inquiry was not to be more extensive, and did not include agricultural as well as commercial distress. Why, Sir, the noble Lord proposes no inquiry, whatever, in the sense in which the hon. Gentleman refers to inquiry. The noble Lord does not propose to inquire for the purpose of ascertaining the cause of the present distress, and all those who are inclined to support his motion in the expectation of having such an inquiry instituted, will find themselves entirely disappointed if the noble Lord should be successful. What the noble Lord proposes is, that the House should resolve itself into a committee of the whole House for the purpose of considering the distress of the country, and then, I presume, he has some proposition to submit for the relief of the distress. I must own I think the general complexion of this debate has not been such as entirely to convince me, that with the numbers here present, and influenced by the feelings that naturally prevail on each side of the House, with only the change of having Mr. Green sitting at the Table, instead of having the Speaker in the chair, that any very useful consequences could arise from the discussions of measures under such circumstances. But when we have got into committee what will the noble Lord do? What is the motion that the noble Lord will make in committee? There is to be no inquiry. When the noble Lord gets into committee, he will not content himself with having succeeded so far, but must pursue some course or other. What course will that be? Will the noble Lord propose a series of measures founded on the principles of which he is the advocate —the principles of free-trade. If he does, what must be the inevitable consequence? All the functions of Government must necessarily be suspended. I speak of Government not in the party sense of the word. I speak of the executive Government, of that which is entrusted with important functions, and which has hitherto been responsible for their performance,—responsible for performing the particular duty—of explaining the expenditure of the year, and the financial means of the year at a certain period of the Session, and of proposing the financial measures of the year. If the noble Lord succeed in his motion, those functions of the Government must be completely suspended. Will the noble Lord propose to deal with the sugar duties? But I will take matters of mere revenue, which do not operate in the slightest degree by way of protection; and with respect to which there can be no objection, from conflicting and rival interests. Take the case of tea. Will the noble Lord touch that. We have a prospect of increased trade with China. If you lower the duties on tea, there will probably be a greater consumption; there will be an increased importation of tea, and probably an increased demand in China for the produce of this country. Will the noble Lord, therefore, submit a proposition for the reduction of the duty on tea? Will he take the same course with respect to tobacco, and with respect to the duty on raw cotton? Some Gentlemen, in the course of the debate, have urged the reduction of the duty on raw cotton as indispensable to the prosperity of our manufactures. The duty on wool has also been referred to. These are all articles with respect to which duties are imposed, not for the purpose of protection, but for the purpose of revenue. Suppose the noble Lord proposes to reduce the duties on tea, tobacco, cotton, and wool. I should like to ask him how any one entrusted with the financial affairs of this country can stir one step, or know what course to pursue. So much for matter of detail, if the noble Lord enters into detail. In the same way, the functions of Government with respect to commercial treaties, must be at once suspended. Suppose the noble Lord think it desirable to reduce the duties on wine, or on fruits, what course are the Government to take with respect to negotiations now pending, and which had been pending for the last four or five years. The late Chancellor of the Exchequer, some three years ago, took credit, or rather debited himself with a reduction of 300,000*l.* in the revenue, consequent on the expected termination of a commercial treaty with France, on which negotiations have been pending ever since. If the noble Lord deals with these questions of revenue, in this committee of the whole House, how is the executive Government to proceed with respect to the preparation of financial measures, or the conduct of negotiations with foreign powers for the reciprocal reductions of import duties? It is clear that the functions of Government would be suspended by the noble Lord's success in carrying such a motion as this. And at what time does the noble Lord come forward? Hitherto it has at least been the practice to give the Government some time after the commencement of the Session, until the estimates have been voted, and until a full review can be taken of the state of the finances of the country, before they are called upon to propose measures for providing the means for the year; but the noble Lord within a fortnight after the commencement of the Session, calls on the House to permit him to undertake this duty. And at what period also, respecting the revenue itself, does the noble Lord propose this measure? At a period when probably the future produce of the yearly revenue is subject to peculiar uncertainty. It is difficult to foresee what will be the product of the Income-tax. I made an estimate of it on the best grounds on which I could calculate; but we have not made sufficient progress in its collection to enable us to determine whether the estimate was well founded or not. At this particular period, the revenue has been affected by the measures of last Session. It was affected by the discussion which preceded them; and yet the noble Lord proposes to go into a committee of the whole House, for the purpose of considering measures affecting the finances of the country. Will the noble Lord avoid the difficulty by contenting himself with moving some such general resolution as this—"Resolved, That the principles on which the tariff of last year was founded ought to be carried to further extent?" Is that the motion which the noble Lord would propose? There is to be no inquiry, and he must propose either a specific measure of details, or he must propose some general resolution, embodying a general principle. The noble Lord has no alternative. If you could do anything at the present moment to create uncertainty, to paralyse trade, to suspend all commercial speculations, it would be to move some general indefinite resolution like that, leaving every man uncertain as to what specific articles the general resolution was to be applied. This country has not yet recovered from the effect of the tariff of last year. The discussion which preceded that tariff necessarily added to commercial embarrassment. It was impossible it could be otherwise. During the whole time of the discussion, commercial men were in a state of uncertainty as to what would be the final resolve of the House of Commons, and there was a suspension of commercial dealings. It affected the consumption of timber, and affected almost every other article of importance which entered into the tariff of last year. If you now enter on the subject again, without indicating the articles of which you mean to alter the duties, you do more to diminish public confidence and add to commercial embarrassments, than by any other course you could take. One great evil has been a gradual diminution of prices. When there is a tendency to an increase of prices there is a tendency to commercial prosperity. The effect of a gradual increase of prices is well explained by Mr. Hume—David Hume, in one of his essays on trade. Threatened reductions in the tariff tend to produce declining prices, and a vague resolution, such as I have referred to, leaving it uncertain to what articles the principle was to be applied, so far from being a relief, would aggravate all the existing evils. I hope I have conducted the discussion on the principles which I laid down, avoiding all party considerations, and making my appeal to the reason of the House against the proposal of the noble Lord. Mere success in carrying this motion would be only a triumph over the Government. That the noble Lord disclaims, and I must say, from the character of the speech with which he proposed the motion, I have confidence in the declaration of the noble Lord. He does not seek a temporary triumph of party by his motion. He proposes it in order to give a hope of relief for the distress of the country. Inquiry is not intended. You are not to have the operation of the Corn-laws—you are not to have the operation of other restrictive laws investigated, but some proposition is to be made. I have attempted to show that that proposition must refer to details or to general principles—that the one would suspend and paralyse the functions of Government, and the other would add to the existing embarrassment and distress. Sir, I do not oppose the noble Lord's motion on the ground of denying the distress which prevails. There are but too many evidences of that distress. And when some of my right hon. Friends refer to circumstances which rather appear to indicate a hope of more favourable times, they have done so, not for the purpose of denying the existence or extent of the distress, but for the purpose of meeting arguments used by hon. Gentlemen, and showing that in some cases there have been exaggerations of the degree of distress. And one hon. Gentleman, the Member for Manchester (Mr. M. Gibson) has charged my right hon. Friend with having made a statement, founded upon

Mr. Horner's report, which is not confirmed by the details of that report. But then the hon. Gentleman referred to the report of Mr. Horner for autumn last. Might it not have occurred to the hon. Gentleman that an improvement might have taken place between autumn and January? Now, on the 30th of January, Mr. Horner did make a report, and, with respect to the new buildings, he did use this language:—

"In the course of last year, forty-nine new concerns were set to work, having 1,378 horses' power, and employing 3,490 persons. Calculating five persons to each horse power, the usual rough estimate, when these mills are in full work they will give employment to 7,000 persons. Some of them are new buildings, and some of these are additions to pre-existing buildings; in other cases, the occupiers have removed from smaller to larger premises; but in all of them the parties must have invested new capital; and it would be irrational to suppose otherwise than that all of them have entered upon a branch of trade which they believed to hold out a fair prospect of yielding a remunerating profit. The greater part of the information from which these tables have been constructed, was collected between the beginning of September and the middle of November —that is, before there were any symptoms of that revival which began about the latter date; so that if it had been possible to give the actual state of the mills in the present week, there is every probability that a comparison with the same time last year, would give a still more favourable result than I have shown above. I have formed this opinion, not merely on general reports of improved trade, but from facts such as the following, contained in returns recently received from the superintendents in my district:—Mr. Superintendent Davies, resident at Ashton-under-Line, reports to me, that on visiting the mills of A on the 9th of November, 1842, 252 looms were standing; on the 18th of this mouth all were at work, and 22 added. On the 10th of November, 1842, B had 500 looms, and 2-5ths of the spinning machinery stopped; on the 18th of January, only 250 looms, and 1-4th of the spinning machinery stopped. On the 28th of October, C had 186 looms stopped; on the 18th of January all were at work. In July, 1842, D had 252 looms stopped, and eight pair of mules working short time; in January, 1843, all were at work, and on full time. In July, 1842, E had 190 looms stopped; in January, 1843, all were at work. In July, 1842, F had 167 looms stopped; in January, 1843, nearly all were at work."

Do not let me be misunderstood. Mind —I do not deny the existence of great distress. If the noble Lord's motion could really and truly tend to relieve the country, we have, I say, such full and ample evidence of that distress as to induce me to enter into the committee that he desires. But when Gentlemen say, that we are in a worse state in January than we were in October, then I wish to show you that in that statement there is exaggeration. That is the remark I have to make upon that point. I have, Sir, little more to say of the reason why the Government cannot, and why the House ought not to assent to the motion of the noble Lord. But then, during the course of this discussion, I have been condemned by many Gentlemen for the course which I pursued, in the last Session, with respect to the tariff, and the principles on which it professed to be founded, and for the declarations which I made in the course of the present Session. I will refer first to the principles on which the Government acted in proposing the tariff of last year. In undertaking to revise the commercial code of this country—I beg the House to recollect the circumstances under which it was undertaken. There was in that year, and there had been for several preceding years, a great deficiency in the amount of the revenue. This country, too, was engaged in two wars. The East-India Company was interested in the one—that carried on to the west of the Indus, and the other the war with China. It was, under these circumstances, that her Majesty's Government undertook the revision of the commercial code. There was a deficiency of 2,400,000*l.*, or of a sum something nearer 3,000,000*l.* That deficiency did not deter us from undertaking what we thought would be beneficial to the commerce of the country. But, in order to revise our duties, it was necessary to create a new deficiency; and we, Sir, did not shrink from performing that which we felt to be necessary, because it compelled us to perform the unpopular act, which nothing but a sense of our duty could reconcile us to, of calling upon the country to submit to an Income-tax in a time of peace. Without that tax, we could not have proposed a revision of the tariff, when we had to create a new deficiency of 1,200,000*l.* But in the face of those wars—in the face of this deficiency—in the face of that deficiency which a reform in the tariff must create, we undertook the revision of our commercial code. I announced the principles on which that revision was to be undertaken. I ask, if it were possible to have undertaken a revision of the whole of our Customs' duties, without having explained the general principles on which that revision was to have proceeded. There were two principles between which we had to choose, the principle of protection to the native industry, or to abandon prohibitory duties, and relax commercial restrictions. We had to take either one or the other, and we declared that we thought that the principle of protection could be carried no further in the abstract. I repeat the word, notwithstanding the objections of the hon. Gentlemen to the term. In the abstract he said, that protection was not to be defended as the permanent system of this country. We thought, that a revision of the commercial code ought to proceed upon the principle of abandoning prohibitory duties, and relaxing the restrictions on commerce. And now I am taunted for not carrying out that principle to all its legitimate and logical consequences, and told that I am not to pay any regard to specific or peculiar circumstances, and not to give any consideration to long vested interests! But when I stated that I thought that the pervading principle ought to be rather a relaxation of restrictions, than an increase of protection, I accompanied the declaration of that abstract principle with a distinct declaration that that principle, admitted to be a wise one, ought to be applied, in a country like this, with great caution and great circumspection — first, because we ought not lightly to affect great interests, which had grown up to great importance under long-enjoyed protection; and, secondly, because you ought not, by the course that you pursued, to throw discredit upon the principle you sought to enforce, by applying it so rashly und indiscriminately, as to cause more evil than good, and produce a doubt in the truth of the principle itself. I stated at the time that it was with those qualifications I should apply the principle, and in taking that course, I am justified by the conduct of those who had preceded me, who had advocated those principles, and set the example of removing commercial restrictions. When Mr. Huskisson, in 1825, proposed his revision of the commercial law of this country, the language he used I will read to the House. Mr. Huskisson was a great commercial reformer, a practical reformer, who felt all the responsibility, and anticipated all the consequences of his acts, and the House will see how he qualified the general principles of which he advocated the adoption. Mr. Huskisson, on the 21st March, 1825, used these words:—

> "I can assure the committee, that if I am about to recommend alterations which are at variance with the ancient sentiments of this country, in respect to colonial policy and trade, it is not because I consider the views of our ancestors as necessarily erroneous, or that innovation must necessarily be improvement; but it is because the circumstances and state of the world, in which we have to examine colonial interests, have changed; and it becomes us, as practical statesmen, to deal with those interests with a reference to that change. It is only in this sense, and with this qualification, that I desire to be looked upon as an innovator. I am not anxious to give effect to new principles, where circumstances do not call for their application; feeling as I do, from no small experience in public business—and every day confirms that feeling—how much, in the vast and complex interests of this country, are general theories, however incontrovertible in the abstract, require to be weighed with a calm circumspection, to be directed by a temperate discretion, and to be adapted to all the existing relations of society, with a careful hand, and a due regard to the establishments and institutions which have grown up under those relations."

Are not these, I ask, the words of practical wisdom? They were used when that great commercial reformer undertook large and most important reforms in our commercial code. Do we not find here the prudence of a practical man, who, while he laid down general principles, thought it right and proper that they should be accompanied by circumspection in their application? Now take other men who have not been responsible for the practical consequences of the principles that they desire to see acted upon — take one who caused the principles of free-trade as far as any Gentleman of the House—take the highest authority, for so I must still call him; for it appears to me that all—not all, but many subsequent writers on political economy, have only tended to confound by their observations that, which was elucidated by Adam Smith, at least the doctrines propounded by Adam Smith, to my apprehension appear more clear and satisfactory than those of his commentators. Take Adam Smith, and no man went further in advocating free-trade, the abolition of restrictive duties, and what does he say? This is the way that with reference to a state of society constituted like ours, he qualifies his doctrines? He says—

> "The case in which it may sometimes be a matter of deliberation how far, or in what manner it is proper to restore the free importation of foreign goods, after it has been for some time interrupted is, when particular manufactures, by means of high duties or prohibitions upon all foreign goods which can come into competition with them, have been so far extended as to employ a great multitude of hands."

But you will not allow agriculture to be reckoned a manufacture, or entitled to those benefits laid down as properly belonging to a manufacture by this great authority. But to continue my extract—

> "Humanity may in this case require that the freedom of trade should be restored only by slow gradations, and with a good deal of reserve and circumspection. Were those high duties and prohibitions taken away all at once, cheaper foreign goods of the same kind might be poured so fast into the home market, as to deprive all at once many thousands of our people of their ordinary employment and means of subsistence."

These are the words of the theoretical writer—of a writer not responsible for the practical application of his views, but they correspond with the doctrine of the practical reformer—of a Minister of the Crown who did lie under responsibility. And Sir, following in the footsteps of these great authorities with respect to our commercial principles, I accompanied their enunciation with a respectful admonition to the House to apply those principles with great circumspection — with great caution. It is said, however, that we did absolutely nothing by the tariff, that it was a mere delusion. Is that true? What did we do in that tariff to which you now attach so little value? Sir, in respect to articles of raw produce, constituting the elements of manufactures, in respect to almost all these articles we reduced the duty payable on their importation—in some cases we reduced it to five, and in other cases to two per cent. And where exceptions were made they were allowed on the ground of revenue. Take for example the case of cotton wool. I am here speaking of raw produce, the materials of manufactures. Take, I say, the case of cotton wool; the duty on which was retained on account of the revenue. With respect to articles half manufactured, if I may so speak—half raw and half manufactured—the general rule was to reduce the duty to ten or twelve per cent. With respect to articles of manufactures, the general rule was, to impose a duty of 20 per cent. Exceptions were made from these reductions in favour of certain articles, but they were made in favour of weak and unprotected interests. The claims of the cork-cutters, for example, were urged by the hon. Member for Finsbury—the claims of the straw manufacturers were also among those urged—and when exceptions were made from the general reduction which the tariff effected, they were made in favour of branches of manufacture of that nature for which there could be no ground for making exception other than the desire to protect the fair interests of the parties concerned. We did except certain great articles. We excepted some on the ground of negotiations pending with respect to them. In the case of wine—in the case of brandy—in the case, I think, of vinegar—in the case of French fruits, and in those of several other articles, we did not reduce the duty in order that we might employ those duties as instruments of negotiation, with a view of effecting a reduction in the duties imposed by other countries on the produce of our own industry. I am not disposed to carry too far that principle of withholding from ourselves the benefits of reduction of duties, in order to force other nations to act in a reciprocal manner, and in many cases we weakened the effect of instruments we held in our own hands, by reducing the duties of articles relative to which negotiations might have been entered into. Our general rule was, that in cases where the articles were elements of manufacture, or where there was risk from smuggling, we took to ourselves the advantage likely to arise from a reduction of duty on these articles; but on others, wine for example, we made no reduction of duty, and intend to make no reduction of duty, in the hope that we shall thus induce other countries to give to us an equivalent advantage; and with respect to cases in which the articles in question are articles of luxury. I do think—as I presume the late Government also thought—that before you consent to a reduction of the duties—on French wines for example, that you should attempt to prevail upon France to permit hardwares and cutlery from Sheffield to enter her dominions at a greater advantage to this country than that derived under the existing system. Indeed, it would not, I believe, be satisfactory to the country if we were to reduce the duty at once on articles like wine—articles of luxury, used only by the wealthier classes, without making an attempt to procure from the grower of the wine some corresponding advantage to the people of this country. These were the cases in which we excepted certain articles from the operation of the tariff; and it is by withholding them that we may hope that negotiations—negotiations I am sorry to say too long pending—may be brought to a satisfactory conclusion. But we cannot be fairly charged, by those who have been parties to pending commercial negotiations, with having reserved too many articles from the operation of the general plan of reduction imposed by the tariff, and reducing the duties upon them without continuing these negotiations—we excepted silk, and wine, and brandy. During the discussion upon the tariff no one proposed that we should at once part with all the advantages while negotiations were pending, which the duties on these articles gave us. [Viscount *Howick* contended that the operation of the tariff ought to have been made universal.] Such might have been the noble Lord's views; but I am sure that the general sense of the House—I do not mean to include the opinions of every particular member of it; the general sense of the House was in favour of the reduction upon the duty of the articles referred to being reserved, until further progress had been made in pending negotiations. I certainly did not apply the tariff to the article of sugar—and I admit at once that there can be no article of greater importance to this country than sugar—no article with respect to which a reduction of price would be of more importance. But this I can with truth affirm, that it was no desire to protect great monopolies, which induced us to reserve the reduction upon sugar. Whenever you do deal with that article, I doubt whether you will not deal with it in a manner which will be for the advantage of the West Indies, as well as for that of the grower of foreign sugar. We reserved the article of sugar partly with the view of using it as an instrument for the purpose of effecting reductions in the import duties payable upon our produce in foreign sugar-growing countries; but much more on this ground, that we did not deem it right to give a free unlimited admission to foreign sugar, without any reference to the consideration as to whether it was the produce of free or of slave labour. I said this should be our ruling principle when I was in opposition; I maintained it last Session in office, and I still adhere to it. Certainly you should, if it be in your power, attempt to make stipulations in favour, not only of the abolition of the slave-trade, but for the modification of slavery itself. You should attempt to obtain conditions with respect to the state of slavery before you grant the indiscriminate reduction of duty. I expressed this opinion last year and acted upon it, and I still maintain it; and considering the discussion in which this country was lately involved—considering the position it has maintained with respect to America—considering the principles which it has maintained with respect to France—I do say, that there never was a period when it was more important that this country should prove to the world that she did not relax, for the purpose of obtaining pecuniary advantage, those institutions which she formerly maintained. There has been a great disposition to charge this country with having been influenced to the suppression of slavery by the pressure of mercantile considerations; and it certainly would abate our moral influence, if we did, lightly, for the sake of a free-trade in sugar, abandon the opportunity of making such a trade instrumental in ameliorating slavery in sugar-growing countries. I say no more on this point. When I was asked, at the beginning of the Session, what particular article should be subjected to a reduction of duty, I declined to answer, on the ground that it was not fair to make such a selection, and to inquire into the intentions of Government as to proposed changes at the very opening of the Session. But, at any rate, we can see what has happened with regard to the timber duties. The opposition made to the change I proposed in those duties was, that I went much farther than her Majesty's late Government, and that I was sacrificing a large portion of revenue in the hope of reducing the price of timber. We permitted colonial timber to come in at a mere nominal duty, and we greatly reduced the price of Baltic timber. But, says the hon. Gentleman opposite, " you have done nothing for the consumer. You have merely lost a revenue, without reducing the price of timber." That is not the fact. There has been a great diminution in the price of timber. Sir, I quite admit that, in the present state of the country, it is not very easy to determine how far the reduction in price is referable to the diminished duty or the diminished demand; but that there has been a great reduction in the price of timber cannot be doubted for a moment. I hold in my hand a comparative statement of the prices paid for timber in the dock-yards, during the years 1841 and 1842. In 1841 Riga timber was *5l.* *6s.* *6d.* a load; in 1842, after the 10th October; it was *4l.* *2s.* *6d.* In the first year Dantzic timber was *5l.* *4s.* *9d.*; in 1842, *3l.* *18s.* *9d.* In deals there was no such difference, for the duty did not apply. In the first year Canadian red pine was *4l.* *16s.* *6d.*; in the second, *3l.* *16s.* *6d.* In the first, yellow pine was *4l.* *3s.*; in the latter, *3l.* *1s.* In the first year, Stockholm timber was *4l.* *10s.*; in the latter, *3l.* *1s.* Now, so far as an absolute reduction of price, it has unquestionably taken place to an extent at least equivalent to the abatement of the duty. I admit, as I said before, that the same causes may have influenced the depression of price in timber as those which operated in the case of other articles. But says the hon. Gentleman (Mr. Cobden) "you reduce the price of timber when there are no factories to be built;" as if there was nothing else in the world but factories. I don't undervalue the importance of factories, but to say that, when bridges, houses, and various other buildings are always to be constructed or repaired, no advantage is derived in the great reduction of the price of timber, simply because no additional cotton mills are required, is an argument which only indicates that the hon. Gentleman's notion of commercial prosperity and the happiness of the nation all centre in the erection of cotton mills throughout the country. I think I can establish the importance of the alteration by the words of Mr. Deacon Hume, for there was no one article to which he attached greater importance than timber. He said:—

> "You have coal and iron cheap; make timber cheap too, and you have the three great elements of commercial prosperity."

And although factories are not building, and millowners have not derived any advantage from the reduction which has lately been effected in the price of timber, yet the hon. Gentleman would find it very difficult to convince the great bulk of the community that they have derived no advantage from the diminution in the price of timber. We come next to articles of human subsistence. It is said we did nothing in the tariff respecting such articles, because, in order to conciliate the good will of our supporters, we were afraid to touch them effectually. Why, we found cattle prohibited, and salt meat subject to high duties; we diminished the duties, and we remitted the prohibition. But it is said that not the slightest benefit accrued from the reduction, or the abolition of the prohibition: that the change has not varied in the slightest degree the price of meat. If I retained the prohibition and the high duties, what would be said? How you would dwell on the importance of the traffic in meat and cattle, and charge me with obstructing the commercial prosperity of the country. But I reduced the duty on meat to an amount fixed at so moderate a rate, that you (the Opposition) did not object to it, and I took away the prohibition from the importation of cattle, and now you say that the change has not been attended with the slightest advantage—that it is all a mockery and delusion. Sir, when that language is held with respect to those articles of subsistence, it leads me to think that you greatly over-rate the advantages which you now say are to be derived from a free-trade in corn. Why, what said the right hon. Gentleman (Mr. Baring) the other night? He did not say that we manifested any desire to sacrifice the permanent interests of the country for the attainment of political or party advantages. On the contrary, the right hon. Gentleman proclaimed that we perilled the existence of the Government by removing the prohibition on cattle, and that if it were not for the forbearance of the opposition, we should have been left in a minority, and been compelled to relinquish the reins of power. Well, according to the right hon. Gentleman's representation, we are entitled to credit; for how could we have given a greater proof that we were bent on pursuing what we believed were for the public advantage, than to stake our existence as a Government on the removal of this prohibition? And when the right hon. Gentleman claims credit for supporting me on the reduction of duty, he ought at least to admit that we were not desirous of deferring to opinions in which we did not partake, or of sacrificing the public welfare for the sake of conciliating our supporters. Now, with respect to the Corn-laws. I did certainly retain the principle of a fluctuating scale. It was said, when I proposed that measure, that it would be of no advantage in diminishing the price of corn. It was said that I was rendering the exclusion of foreign corn more strict by the addition of new towns in taking the averages. It was said too that the Bank of England would be exhausted of its gold in consequence of the adoption of the sliding-scale. But you cannot deny that there has been a great reduction in the price. Oh, but it is now said that it is entirely owing to the harvest. But you prophesied that the harvest would be an unproductive one. There is no doubt that it is very difficult to determine to what cause the fall of price is owing, but at any rate you cannot deny that there has been a considerable reduction. Now, take the prices—and you will see the reduction effected, no doubt, by the harvest as a main cause—for the last six years. On the 2nd January, 1836, wheat was *59s.* per quarter; in January, 1838, it was *52s. 4d.* per quarter; in January, 1839, it was *78s. 2d.* per quarter; in January, 1840, it was *68s. 5d.* per quarter; in January, 1841, it was *61s. 8d.* per quarter; in January, 1842, it was *63s. 1d.* per quarter; and in January, 1843, it was *46s. 11d.* per quarter. Now, it is said that the reduction in price is no benefit whatever. I confess that this is a most discouraging statement, when we compare such comments with the predictions indulged in before any alteration was made. Now, if ever a principle were maintained by the hon. Gentlemen opposite, it was that the high price of provisions was the main cause of the depression of trade, and of the diminished consumption of articles of manufacture. A pamphlet was written by an hon. Gentleman, an active member of the Anti-Corn-law League, which gave the price of corn and other articles of subsistence for some years past, and in which it was contended that twenty millions of additional capital was applied to the purchase of articles of food, and withdrawn from the purchase of manufactures; and the great evils of the country were attributed to the high prices of provisions. From some cause or other you have now a low price, and now the doctrine is, it does not matter a farthing what the price of provisions is—the great panacea is a free-trade in corn. Well, with respect to the objections to the new towns. I introduced them to prevent frauds. Some said I had a covert intention of increasing protection; some said that I should diminish the prices in the new towns, and raise the duty on foreign corn. What is the result? In twenty-five cases, with one exception, the price in the new towns has been higher than in the old. Thus I did take a double security against fraud without any increase of protection. I am charged with leaving the law in a state of uncertainty—with implying a secret reserve to alter the law next Session. Now the fact is, a Minister answers questions in his place in Parliament under great disadvantages. A Minister desires to give every information that he can on public concerns consistent with public duty. On the first night of the Session the question was addressed to me—"Do you intend to alter the Corn-laws this Session?" My answer was—"I do not." Then it was said I had made a voluntary declaration that I would not alter them this Session, but that I had made a reserve with a view to a succeeding Session. Now, in these cases, much depends on the animus of the questioner. Of course the hon. Gentleman who put the question to me was specifying the present Session, and never thought of asking me—do you, in the course of the next or of any future Session, intend to propose an alteration in the existing law? When the question was put to me, whether I contemplated any alteration in the present Session, I answered frankly—I do not. To this some Gentlemen immediately say—See in what state of uncertainty you leave the law. You, as Minister, defer the course you mean to take. You will do nothing this Session, but you do not say you will abide by your law. Abide! Sir, I do not undertake to say I will abide by any law, but I will say this—I do not now contemplate any alteration in the law; I see nothing in the experience of the last four or five months to induce me to take a different view of the question from what I did last Session; but if I am asked whether I will undertake, whatever may be my experience, whatever may be the proof of failure that may force itself upon my conviction—I say, if after such proof and experience of failure, I am asked whether, in order to purchase support, I will make a stipulation to adhere to a law that shall have failed, I say at once that there is no support that I will consent to purchase on such conditions. In a matter of this kind, which cannot be considered to involve a vital question, which cannot be supposed to endanger the monarchy, for instance, or the union of the kingdom—in a matter of this kind, I say, I should be unworthy of the station I hold, if, as a Minister, I were to undertake to maintain the law one hour after I had become convinced that the public interest demanded its abrogation. If, however, this law is to be altered, what is the principle on which the alteration is to take place? If the noble Lord brings forward a motion of this sort, and if the real object of that motion is to obtain an alteration of the Corn-laws, I have a right to ask the supporters of the noble Lord what their real views are? If they succeed in this motion, they must be well aware that not one hour could elapse without their being called upon to make a full statement of their intentions. Does the noble Lord mean to adhere unalterably to the principle of a fixed duty? See what taunts the right hon. Gentleman the late Chancellor of the Exchequer threw out against me, under an idea that I might not adhere unalterably to my own measure; yet what was the conduct of the right hon. Gentlemen opposite with their own plan for the settlement of the Corn-laws? They first brought forward the proposition of a fixed duty, but before they even approached the introduction of their own bill, the noble Lord declared that his views had undergone a change. We argued that a fixed duty was altogether delusive as a protection to agriculture, because in a season of great scarcity, or when corn rose to an average of 73*s.* or 75*s.*, it would be found utterly impossible to levy the fixed duty. The noble Lord, in proportion as he gave more consideration to the question, began to see that this was the case, and then the noble Lord avowed himself ready to modify his own law in this respect, and declared that he was ready to abandon his fixed duty under a pressure of high prices. The noble Lord, whose friends now demand that I, as Minister, shall either abandon this law, or pledge myself to maintain it irrevocably under all circumstances, the noble Lord himself, before he approached the introduction of his own bill, claimed, and justly claimed, for himself the privilege of modifying his views. He determined to retain the system of averages, and when wheat approached the price of 75*s.* he admitted that his fixed duty could not be enforced. And the noble Lord was quite right to claim for himself this privilege; but I do say that those who concede this privilege to the noble Lord, ought not to be so strict in demanding of his opponents that they shall irrevocably adhere to a measure they have once adopted. Between the noble Lord and ourselves there is, in point of fact, no difference of principle. The noble Lord contends for the necessity of a protective duty. But then the noble Lord contends also that a fixed duty would have the effect of establishing a regular trade in corn, and would have the effect of securing an active intercourse with the United States of America. Well, the noble Lord vindicates a fixed duty of 8*s.*, on the ground that the landed interest is entitled to protection, and the late Chancellor of the Exchequer calls upon us to settle the question. To settle the question! Does the right hon. Gentleman really feel confident that a fixed duty of 8*s.* will settle the question? Does he feel confident that such a fixed duty will put an end to agitation, and lead to the immediate dispersing of the Anti-Corn-law League? Why, this very night we were told by the hon. Member for Salford, that a fixed duty of 8*s.* would be equivalent to a tax on corn of 20,000,000*l.* This, I admit, was a very extravagant calculation; but supposing a fixed duty of 8*s.* to be in force, and wheat at 75*s.*, if the hon. Gentleman even approaches the truth, if he supposes the tax to be only one half of his first estimate, if he calculates it only at 10,000,000*l.* instead of 20,000,000*l.*, will any man tell me that it will not be the hon. Member's intention to go on agitating the question till he obtain the repeal of the 8*s.*? My objection to a fixed duty is, that it presses with peculiar severity upon the consumer when corn is high, and it equally presses upon the producer when prices are low. I shall be told, indeed, that, a fixed duty will lead to a greater regularity in the trade; but I say there are circumstances which make it impossible, under any state of the law, to calculate upon stationary prices for such an article as corn. Even in New York itself, when prices have in no way been influenced by a demand from this country, there have been as great variations in price, under a system of complete free-trade, as in England under the sliding-scale. The two noble Lords opposite are agreed as to the amount of a fixed duty, but the noble Lord the Member for Tiverton would maintain it, not as a protection to agriculturists, but with a view to a revenue. If the noble Lord the Member for London is wrong, if the landed interest be not entitled to protection from the importation of foreign corn, if it be not necessary to restrict the importation of foreign corn for the purpose of preventing too great dependence on foreign supply, if those two positions be conceded, I will venture to say that a fixed duty of 8*s.* on foreign corn, for the purpose of revenue, would not be maintained for two months. Observe the noble Lord, the Member for Tiverton, denies that there is any necessity for protection; he would impose a fixed duty of 8*s.* on foreign corn for the mere purpose of gaining revenue. The noble Lord cannot resist the inference that if the landed interest have no need of protection, and if corn be a fit subject of taxation, corn that is the produce of your own country ought to be liable to taxation. He cannot resist the argument that the duty ought not to be one of 8*s.* on the importation of foreign corn, but 4*s.* on foreign corn and 4*s.* on home-grown corn, the duty to be collected, for greater convenience, at the mill at which it is ground. The noble Lord wishes to maintain a duty of 8*s.* for the purpose of revenue. What, then, would be the state of the case? You levy a duty of 5,000,000*l.* on one species of corn which is your own produce—I mean malt. And would you levy a duty of 2,000,000*l.* or 3,000,000*l.* on foreign wheat, and no duty whatever on home-grown wheat, if the landed interest be not entitled to protection? It is quite clear you would in that case be reversing the principle on which you proceed in the case of barley. You derive nothing from foreign grain in the article of barley. You derive your whole revenue from barley the produce of your own country, and the noble Lord would derive the whole of his revenue from wheat the produce of other countries, and exempt wheat which is the growth of his own country from any part of the duty. Therefore I think the noble Lord's (Lord John Russell's) principle of vindicating his fixed duty because the agricultural interest is entitled to protection, is, at least, a better ground to assume than that which is stated by his noble Friend, who claims the duty on foreign corn for the mere purpose of revenue. The other alternative is the absolute and total abrogation of the Corn-laws. I must say I entertain firmly the opinion that if you were at once to give effect to your views, and permit the free and unrestricted importation of foreign corn, you would displace such a mass of productive industry in this country as would greatly aggravate the present distress. Seeing nothing in the experience of the working of the present law to induce me to change the views I expressed in the course of last Session, believing that the application of a fixed duty would have no more tendency to settle this question than the retention of the present law, believing that the total repeal of the Corn-laws would be most injurious to the interest of this country. I cannot consent to the measures which are proposed as a substitute for the existing Corn-laws. The right hon. Gentleman (Mr. F. T. Baring) who spoke last night with so much animation—a degree of animation which I have not witnessed in this House since the day that he detected a differential duty on colonial asses, charged the present Government with having unsettled everything and settled nothing—that is to say, that we, who have so far at least reformed the commercial code of this country, that we have reduced the duties on raw produce and the elements of manufactures to less than 5 per cent. in every case, the duties on half manufactured articles to 10 or 12 per cent., and the duties on manufactured articles to 20 per cent.; that her Majesty's Government have unsettled everything, and settled nothing. The right hon. Gentleman acquiesces in his present motion, which although, I am confident, is not brought forward by the noble Lord with that view, yet clearly appears, after the comments made on it by the noble Lord's Friend, the hon. Member for Halifax and others, to be in effect, whatever it may be in intention, an implied censure on Government for not having brought forward some other measure of extensive relief. Sir, nothing is so easy as to call for measures of relief, and to insist on Government proposing an immediate relief for the public distress. I am afraid that at all times, and under all circumstances, governments are liable to such a demand; but it is much easier to make that demand than to comply with it; but I think it rather hard, that this charge of having unsettled every thing and settled nothing, should proceed from our predecessors in office. I should like to compare the course which the late Government took in 1840 with the course I and my Colleagues took in 1842. Sir, it is with unaffected regret that I enter into those party conflicts on a question of this kind. I wish most heartily and sincerely, that the right hon. Gentleman had in this respect followed the example of the noble Lord. I think these mere party topics are misplaced on a question of this kind, and on an occsaion like the present; but when party attacks are made with great acrimony, there is no alternative but to defend one's self. In 1840 noble Lords and right hon. Gentlemen opposite were in possession of power. They now declare themselves the great, the uniform, the consistent advocates of the principle of free-trade, and maintain that they have always looked to the relaxation of commercial restrictions as the true foundation of national prosperity, and sometimes they charge us with being the servile adherents of the opposite system, while they are constantly drawing a contrast between the weak and inefficient measures of the present Government and those which they themselves adopted when in possession of power. I will not take the measures which they attempted to bring under our consideration when they were in their last extremity. Every great sinner, if you judge of him when his end is approaching and he is greatly alarmed for his existence, when he makes vows of a better life, seems a moral man; if you were to judge of him from that period of his life only, you might think highly of his moral qualities, but the time to judge of his adherence to great principles is not when he is in the hour of dying, but when he has strength to give effect to his intentions. If as Minister you had not strength to give effect to your principles, you might have given proofs of the sincerity of your conviction, by sacrificing power and place for the sake of adhering to them. I will not dwell, therefore, on the conduct of the late Government in 1841, when there were significant proofs given that their tenure of power was very precarious; but I will go to the year 1840, when the indications of approaching dissolution were not quite so clear and certain, and I will compare the acts of the late Government, in 1840, with the acts of the present Government, who are said to have settled nothing and unsettled everything. In 1840 there had been a continuance of severe distress—there had been great suffering. That was the time to have declared to Parliament that you looked to the removal of commercial restrictions for the restoration of prosperity. You say we admit the existence of general and severe distress, and yet we have done nothing in the course of the present Session to relieve it. Why, you did the same in 1840. On the 16th of January, 1840, you put these words into the mouth of her Majesty:—

> "My Lords and Gentlemen—I learn with great sorrow that the commercial embarrassments which have taken place in this and other countries have subjected many of the manufacturing districts to severe distress"—

Words not very different from those which her Majesty has made use of in the speech of 1843. Now, what were the great measures of commercial relief which you brought forward in 1840? You charge us with the abandonment of principle in not carrying out our principles to their legitimate extent? What was the course you yourselves pursued in 1840? Look at the course you then took with reference to the article on sugar. It would appear from the language you now hold as if you had been straining every nerve, and making every sacrifice, for the purpose of obtaining the free admission of sugar. This was in no remote period—in 1840. The distress had then been of great extent and long duration. If you were so thoroughly convinced of the truth of your principles, 1840 was the time to assert them and to maintain your opinions at any hazard. But the late Chancellor of the Exchequer tells me it is, above all things pernicious not to allow a reduction of duty on sugar—a great article of consumption. Who ever heard of such misconduct (exclaimed the late Chancellor of the Exchequer) on the part of a Government? But what did you, the late Government do, as to sugar. In 1840, a year of distress, after you had admitted the existence of the distress in her Majesty's Speech, a motion was made on the subject of "sugar," by the hon. Member for Dumfries (Mr. Ewart), and to this effect:—That the duties on foreign sugar should be reduced from 63*s.* to 35*s.* per cwt. There was an opportunity for the vindication of your principles. There was a duty of 63*s.* existing upon the importation of foreign sugar; and the hon. Member for Dumfries proposed to reduce it to 35*s.* Why he was vigorously opposed by her Majesty's Ministers. On a division, the Noes were 122, and the Ayes 27; and this motion for the reduction of the sugar duties was negatived by a majority of 95. The tellers for the majority on that occasion were Mr. Tuffnell and Sir T. Troubridge. But what course did those who now call for the importation of foreign sugar take upon that occasion? Every one of the then Ministers voted against the motion of the hon. Member for Dumfries. Nay, more, they assigned as a reason for so doing, that there ought to be a distinction between sugar, the produce of free-labour and sugar, the produce of slave-labour; at least they urged that that was a most important consideration. True, they said, coffee and other articles are the produce of slave-labour; but there is a material distinction between the two articles, and we will not admit foreign slave-made sugar. The late Chancellor of the Exchequer, who is now for settling the trade, rejected the hon. Member for Dumfries' motion in 1840, though distress was pressing and severe, and the right hon. Gentleman used all the influence of Government against it. As far as language and argument can be depended upon, the speculators in sugar were at that moment led to suppose that the duties would be maintained. In 1841, however, when the pressure upon the Government became very great, they themselves proposed a reduction of the duties on sugar, and charged their adversaries with indifference to the sufferings of the people, because they would persist in voting in 1841 as they had voted in 1840. Was that the way to settle trade? Was that the way to give confidence to colonial proprietors and merchants who trade in foreign sugar?—to resist in 1840, on grounds, which I admit, were not stated as permanent, but on grounds infinitely more uncertain than anything which I have said respecting the Corn-law—a proposition for reducing the sugar duties, and then, in 1841, to propose to reduce them yourselves? Do I complain of you for proposing that reduction? Do I deny you the right, if your views altered, and you saw reason to propose a change, to make it? No, I do not; but I do think that you ought to have some little toleration, and exercise some charity, before you make indiscriminate and acrimonious attacks upon your political opponents, much less obnoxious to them than yourselves? Well, but the Corn-laws. You charge us with causing uncertainty about the Corn-law. Who would not suppose, from the tenour of this debate, and the charges made against me, that hon. Gentlemen were actually martyrs to the cause of Corn-law repeal. To hear them talk, any one would believe that they had, during the last seven or eight years, been advocating an alteration of the Corn-laws, as the one great panacea for the national distress. The question of the Corn-laws was brought forward in the House of Lords in 1840. Uncertainty about the Corn-laws! Does it add to certainty, to make the Corn-laws an open question? Does it add to certainty to have no opinion, as a Government, on the subject? This is a question to which you profess to attach great importance. You say that it ought to be settled, in order that the public mind may be relieved, and the agriculturists know to what extent they may invest their capital: that a man who takes a lease of a farm for nineteen or twenty-one years may know what he has to depend upon. Is it consistent with such language as this, that during five or six years you permitted the Corn-laws to be an open question. The question of the Corn-laws was brought under the consideration of the House of Lords by Earl Fitzwilliam in 1840, and one Member of the Government voted for the noble Earl's motion. The Earl of Clarendon upon that occasion said:—

> "It would be untrue were he to say that he had any hope or expectation that their Lordships would agree to the noble Earl's motion, but he should still deeply regret a contrary decision, because negativing the resolution would affirm that the present law required no change, and, therefore, admitted of no consideration."

There was the dictum of one of the Ministers—he would be sorry to see the resolution negatived, because that would imply there was to be no change in the existing law! Well, but the head of the Government and the organ of the Government—he who spoke the collective opinion of the Cabinet on such a great question, also addressed the House, and held this language:—

> "Indeed, upon the motion itself, as presented to the House by his noble Friend, he had very little difficulty. For the noble Earl proposed, that 'it was expedient to enter into an inquiry upon this subject.' Now, he (Lord Melbourne) was distinctly of opinion, that it was inexpedient."

Here is a mode of giving confidence to the agriculturists, and letting the men who take leases know what they have to depend upon. To think, after this, of my being condemned because I do not think it quite wise to pledge myself for ever to the maintenance of the existing law. Lord Melbourne went on to say:—

> "Yet he would guard himself against being supposed to pledge himself to maintain the existing duties. He had never so pledged himself, nor did he mean to do so. This was no question of stubborn principle from which he could safely pledge himself not to swerve; for considerations of various kinds of economy or of policy might arise, not only to justify, but to render necessary the adoption of a different course. Yet, under present circumstances, he did not think it wise for Parliament to stir the question, as they would stir it, if they adopted the motion of his noble Friend."

And then, in order, perhaps, to give confidence to the agriculturists, and to assure them that his Government contemplated no change in the Corn-law, Lord Melbourne pounced upon a declaration made by Mr. Van Buren, and quoted it in this manner:—

> "He could not dismiss from his mind the apprehension that it was unwise to rely entirely for the maintenance of a great portion of the population upon a foreign supply. In that opinion he had the support of Mr. Van Buren. The United States, with a great and yearly increasing population, with almost an unlimited amount of land which yet remained to be brought into cultivation, might be supposed to be in less danger than any other nation in the world; but Mr. Van Buren was of opinion, that it would be unwise to rely upon a foreign supply of food for the people of the United States. Mr. Van Buren was a sensible man, his opinion was entitled to great consideration; but this was not his opinion alone, but that of a great portion of the people of that flourishing nation. Mr. Van Buren was a great magistrate, and he (Lord Melbourne) entertained the greatest respect both for him and for the people over whom he presided; and he was justified in believing, that he would not have expressed such an opinion, if it had not agreed with the opinions of a great portion of the people of the United States."

In the very next year after Lord Melbourne had thus expressed himself, his Government proposed a fixed duty upon the importation of corn, and now a Member of that Government, the late Chancellor of the Exchequer loads me with vituperation for the conduct I have pursued with respect to the sugar duties and the Corn-laws. Will he allow me to ask him, who held the office of Chancellor of the Exchequer under Lord Melbourne, how, with the opinions he now professes on Corn-laws, he could reconcile it to his conscience to sit quiet while the organ of the Government, the First Lord of the Treasury, expressed opinions on that subject from which he so entirely dissented? What did the right hon. Gentleman himself propose? Did he propose any measures of sound commercial policy in the year 1840. I ask the House and the country to compare what the late Chancellor of the Exchequer did with my tariff? The way in which the right hon. Gentleman proposed to supply the deficiency in the revenue was by increasing the customs and excise duties including the duty on all articles of raw produce 5 per cent., and by increasing the assessed taxes 10 per cent. That is the contrast between the financial measures of 1840 and 1842. The right hon. Gentleman advanced the duty on every article of raw produce, the elements of manufactures—he increased the duty on wool and raw cotton; and now he is the man who accuses me of having settled nothing and unsettled everything. The right hon. Gentleman appears to think that there is nothing in the motion of a party character, and that, if carried, the Government might would give effect to it. Surely the right hon. Gentleman must know perfectly well not only that the success of such a motion would paralyse the functions of Government; but that, if it were to pass, no Government, which had a proper sense of what was due to the honour of public men, of what was due to the welfare of the country, could carry on the public affairs after being subjected to such an implied censure on the part of this House. The success of the motion would be an implied censure on the Government. You have not allowed the Government the usual period for bringing forward its measures. We never denied you time to bring forward the measures you might consider necessary: but you would supersede us in the functions of the Government by calling upon the House within a fortnight of the commencement of the Session to take our functions out of our hands. You ask what we have done for the purpose of relieving the distress of the country. We have done other things or, at least, attempted to do other things than the reduction of the Custom's duties. We have been in office now, I think, about fifteen or sixteen months. and I think we have a right to look back upon what has been effected during that period without any sense of shame. We have been successful in terminating two wars. The noble Lord seems to deny it. Whenever the noble Lord pleases to claim exclusive credit to himself for terminating the Chinese war, and to take that credit from the present Government, then I tell the noble Lord I shall be perfectly prepared to meet him on that point, and I will voluntarily supply him with any information he may require, and which it is in my power to give. However, if it be not owing to the wisdom of our measures, at least the noble Lord will not deny that we have had the good fortune to bring to a successful termination two wars, which were absorbing the capital of this country in unproductive labour, and striking, as all wars must, a double blow, by consuming the resources both of this country and of that with which we might be carrying on a commercial intercourse. Sir, we hope to effect a reduction in the estimates of the present year. We trust we shall be enabled to do this, and although the termination of these wars has not been so distant as to enable us to make all the reductions which ultimately Parliament may expect, we hope we shall be enabled, in the course of this Session, to present estimates in the three great branches of the public service—the naval, military, and civil—showing a reduction of 850,000*l.* Thus we are at least beginning the process of reducing the estimates. For the last four or five years there has been a constant and progressive increase of the expenditure of the country, and a decrease in the revenue; and in the present Session we shall, I trust, at least commence an alteration which will I hope lead to a continued series of diminished estimates. We have been enabled to reduce the military force in Canada between 3,000 and 4,000 men; we have attempted to open British markets to colonial produce; to diminish the duties on colonial produce in every case where it entered into competition with our own, and thus to make some advance towards treating the colonies as an integral part of the empire. Sir, we have laboured to effect, and I trust we have laboured successfully, to effect an adjustment of those differences with the United States, which had been for forty years in existence, differences which had only been exasperated by delay, and which differences were the main causes for apprehending a disturbance of the relations between the two countries. We tried to soothe those differences without any compromise of British honour. Sir, we also tried to soothe that unfortunate feeling of hostility towards England, which it has been my regret to perceive has existed in some part of the French nation. We are not responsible for the origin of that hostility, which has exhibited itself in various stations of life, and amongst different classes. But, Sir, at the same time that that feeling certainly exists, as I have stated, it is a remarkable spectacle for the civilized world that the two men who hold conspicuous offices — the most conspicuous offices in the governments of their respective countries—are two men the most distinguished in each for their military achievements and their military fame. Those men have practised the art, and they have learned also the miseries of war in the fields of Toulouse and of Waterloo. They have stood opposed to each other in the field of battle—

> ——" Stetimus tela aspera contra
> Contulimusque manus."

And it is a remarkable thing to see those men the best judges of the sacrifices which war imposes upon nations, are now exerting all their influence in the two countries to inculcate lessons of peace. It is a glorious occupation for their declining years. The life of each has been protracted beyond the ordinary term of human existence, and may God grant that the lives of both may be long preserved, that they may each, in his own land, exhort their countrymen to lay aside all national animosities, and enter into a more glorious and honourable competition for increasing the amount of human happiness. And Sir, when I compare the conduct and example of these men, who have seen the morning sun arise upon living masses of fiery warriors, so many of whom were to be laid low in the grave before that sun should set—when I see them teaching lessons of peace, and using their salutary influence to discourage their countrymen from war; when I contrast their object with that of anonymous and irresponsible writers in the public journals, who are doing all they can to exasperate the differences that have prevailed, who misrepresent every action of two Governments desirous of cultivating peace; who represent in France that the minister of France is the tool of England, and in England that the Ministers of England are sacrificing the honour of England to a fear of France, I do trust that the example of these two illustrious warriors will neutralize efforts such as those to which I have referred, efforts not directed by zeal for national honour, but employed for the base purposes of encouraging national animosity or promoting personal or party interest. Sir, we have effected these things, but do I plead that as any reason why the House should reject the motion before it. If you really believe that it will contribute to diminish permanently the distress, or to relieve the difficulties of the country, do I say that any regard for what the Minister may have done, should be an obstruction to its success? No. I admit it ought not. You may approve of our foreign policy, you may think that we have laid the foundations of peace, you may hear with satisfaction that the public expenditure will be reduced; you may hope that all differences with the United States may not be adjusted, yet, that the principal causes of apprehension have been satisfactorily and honourably arranged; but still while you feel disposed to acknowledge these services, and to approve that conduct; if you believe that the adoption of this motion will have the effect of relieving the public distress, let no consideration—I say it with perfect sincerity to this side of the House, and it is unnecessary for me say so to the other—let no consideration of party, no attachment to persons, no predilections in favour of particular men, interfere one instant, with a vote which you conscientiously believe calculated to diminish distress, to lessen privation, to lay the foundations of the commercial prosperity and permanent welfare of the State.

Lord *J. Russell:* I can assure the House, that if I had the disposition to address it at any length at this, the close of the debate, an impediment would present itself in the fact, that from the state of my health I am quite unable. I trust, however, that I may briefly address myself to a very few points before the discussion is brought to a termination. But before I do so, I feel myself compelled, by a sense of justice, to refer to what passed at the commencement of the right hon. Baronet's speech. If the speech of the hon. Member for Stockport (Mr. Cobden) were generally capable of the same construction as that which appears to have been put upon it on the Ministerial side of the House, there can be no doubt that the same feeling of indignation would be felt at expressions so unworthy of a Member of this House, and so calculated to call forth a feeling of reprobation. But I am sure that, for my own part, and I believe I can answer for most of those who sat around me, that the same sense was not attached to the hon. Member for Stockport's words as has been attached to them by the right hon. Baronet and the Gentlemen opposite. For although the hon. Gentleman did use the words "individual responsibility," I conceive that he employed them, not personally and exclusively to the right hon. Baronet in his individual character—but as applying to his responsibility as a Minister of the Crown, and, above all, to the responsibility which belongs to one who, like the right hon. Baronet, has taken the leading part in bringing forward the chief measures of the Government of which he is the head. With respect to the motion, which has been the subject of discussion for the past week, I entirely concur in what the right hon. Baronet stated at the end of his speech, and which I wish had been generally the feeling of those who sit on his side of the House during the debate; that although a resolution of the House, that it would enter into a committee of the whole House to consider of the distress of the country, might be understood to imply that the Ministers of the Crown had neglected their duty, in not proposing measures of relief, yet that if the House is convinced that the adoption of the proposition for going into committee would lead to the discovery of remedies for the distress, it is its bounden duty to adopt that course? I therefore cannot understand why so great a part of the debate has been occupied by party attacks of one kind or another. If it should appear that the House can find a remedy for the national distress by going into a committee of the whole House, it is most imperatively the duty of the House to do so, even though it should imply a censure upon the Minister of the Crown. If the motion has no such object; if it be a vague, unsubstantial, futile motion, then it is unnecessary to urge that, besides being unsubstantial, vague, and futile, it would have the effect of implying a want of confidence in the Ministry. Therefore I do not know why this spirit of party discussion—has been introduced into the debate—a spirit which, as the right hon. Baronet has justly said, when once introduced, must be met and combatted, but which, as I understood, was first infused into the debate by the right hon. Gentleman the Vice-President of the Board of Trade, and was certainly followed up and continued by the right hon. Baronet the Secretary of State. The object of this motion, as I conceive it to be intended by my noble Friend (Viscount Howick), is to propose, in respect to certain other articles of trade, the adoption of measures founded upon the same principles as those which were laid down when alterations were proposed and carried last year. Now that object could not be affected without great public inconvenience, unless the Minister of the Crown were to bring them forward and adopt them. But I see no reason why, if we were to go into a committee of the House, resolutions might not be adopted either in the shape of addresses to the Crown, or simply as resolutions in conformity with which the Ministers of the Crown might feel it their duty to act, and at the same time to retain their situations. I think, therefore, that the motion of my noble Friend is in that sense perfectly Parliamentary, perfectly justifiable, and perfectly consistent with constitutional principles. Then we are told in respect to this motion, as I have heard with regard to many others, that it is ill-chosen in point of time. I remember seeing some letters supposed to have been written by a Chinese mandarin in London, giving an account of the customs of this country—letters really written by a gentleman of well-known literary talent—Mr. Walter Savage Landor—in which the supposed writer says, It is quite remarkable how superstitious the people of England are about time. You constantly find in their grave and solemn Houses of Parliament, a learned Bishop, or a great statesman, rise and say, no doubt this may be an excellent measure; no doubt at some period it will be fit to adopt it; but then this is not the time. This is very singular; and sometimes they will go on for ten or fifteen years, all agreeing in the general principles of a measure, but never being fortunate enough to come to the auspicious moment at which the measure could be carried into effect. I think that this observation of the fictitious mandarin applies to the way in which the present motion has been treated. As far as sympathy for the distress is concerned, we are all agreed upon that. As far as the present principles of free-trade are concerned, we are all agreed upon them. All men of common sense agree upon these points. To be sure there has been some difference of opinion expressed with respect to them to-night by a Gentleman of considerable ability, the hon. Member for Whitehaven (Mr. Attwood); but generally speaking, we are agreed both in sympathy, and in principle. And yet feeling that sympathy, and entertaining those principles, we do not agree that it is fit at this time to make our sympathy useful, or to carry our principles out to some practical end. The right hon. Baronet (Sir Robert Peel) has alluded to various measures which he has proposed. Now, I take leave with respect to this very question of time, to mention one difference that exists between the right hon. Baronet and myself, it is this, that in one respect I have had the good fortune to precede him in point of time. The right hon. Gentleman the Vice-President of the Board of Trade has said, that you cannot well be sure that foreign nations would adopt your principles—that if you placed your laws in respect to corn and sugar on the most liberal basis, you would still have no certainty that foreign nations would follow your example. Why, in 1841 (I own it was not in 1840, the year to which the right hon. Baronet has so particularly referred)—but in 1841, I stated that I hoped that this country would set an example on the question of freedom of trade—that I was quite sure that if she did so, the example would have a beneficial effect, but that I was still more certain, that if she did not do so, foreign nations would be ready to adopt our system of restriction, and to fortify themselves by our example. Following my example in 1842, the right hon. Baronet, at the close of the speech in which he explained the policy he proposed to pursue, said that we ought to hold out a great example to foreign nations. Why, at the very time that he made that speech, foreign nations were already considering of new plans upon the restrictive system; and we find accordingly, that before the close of the year, five or six hostile tariffs had been passed upon the very principles which the right hon. Baronet, being then in Opposition, had countenanced in 1841. I think that this is a reason why, in the first place, we should lose no further time; and a reason, in the second place, why the right hon. Baronet should proceed as speedily as possible in declaring the principles upon which he means to act. In 1841, it was generally understood, that he was in favour of the restrictive system: foreign nations, and a great portion of the people of this country supposed, at the time of the general election, that the right hon. Baronet was in favour of high protective and prohibitory duties. That was the general supposition in 1841, and it has been, in consequence of that supposition, that a great many of the evils of which we now complain have sprung up. It has been in consequence of that supposition, that many foreign nations have adopted restrictive tariffs, which it would now be difficult, if not impossible, to correct. The right hon. Baronet says, that he made a great many changes in the tariff of last year. I am quite ready to admit that he did make a great many changes; but is it not quite obvious, that whilst he leaves the two great questions of sugar and corn as exceptions to the principle which he otherwise generally adopts, foreign nations will not believe that he is sincere in the liberal views which he professes? It would, no doubt, be very desirable to have a freer access to the trade of the United States, by procuring a relaxation of their restrictive duties upon the import of British manufactured goods; but the moment that you propose to treat with them upon the subject, the first question that they asked would be "Upon what terms will you admit our corn and flour?" The same with respect to the Brazils. It would be very desirable to extend our trade in that quarter; but the moment that we made overtures to them for a relaxation of their restrictive duties, would not their first question be, "Upon what terms will you admit our sugar?" If you tell the United States that you care so much for the independence of this country, that you cannot take their corn; and if you tell the Brazils that you care so much for the abolition of the slave-trade that you cannot take their sugar, may they not answer you with perfect fairness and consistency, "We are anxious for the adoption of the principles which you profess—we are desirous of extending our trade; but if you tell us that you will not admit our corn and sugar, you must allow us to make exceptions on our side, and refuse to take your manufactured cotton." Therefore, making these two great exceptions, leaving out these two great articles from your amended tariff, you do in fact debar yourselves from making any of those arrangements which foreign countries know you wish to accomplish. There are many of these minor articles of manufacture to which I cannot now refer, with respect to which I thought the right hon. Baronet dealt too harshly and suddenly. For instance, in the case of the corkcutters, I think that if the right hon. Baronet's first intention had been adopted, that branch of manufacture in this country would have been completely ruined. The same remark applies to many other articles, the manufacture of which would have been totally destroyed if the right hon. Baronet had not modified the harshness of his first proposition. With respect to the South Sea whale fishery, although the right hon. Baronet was undoubtedly right in his principle, it was yet to be considered that the ships employed in the fishery generally took from three to four years before they completed their voyage. I say, then, that this interest presented a case for the exercise of that caution which the right hon. Baronet had practised in reference to matters of greater importance, and that whilst he exhibited something of over prudence in reference to two or three great interests, he displayed a very great disregard for many smaller and less powerful interests in the adoption and application of his principles of free-trade. I was not opposed to his change in the duties on whale and spermaceti oil, except so far as that of giving a single year more to afford those ships time to come home, and to allow the seamen to obtain the profits they expected on the faith of the law. Then, said the right hon. Gentleman, "I did in fact deal with great indulgence with those little interests, and you will see that, with respect to the tariff on cattle, I made a great alteration." Now that likewise is to be taken with another statement which the right hon. Baronet made. He stated to all the free-traders in the House, "I am going at once to take off the prohibitory duties upon foreign cattle, and to adopt the importation of foreign cattle upon the principle of a fixed duty." But immediately this announcement was made, the agricultural interest became alarmed, upon which the right hon. Gentleman turned round upon them and said, "Do not entertain any fear, for the quantity of cattle that will be imported will be quite trifling." And thus the question was constantly argued. If any person wished to show that the right hon. Baronet was in favour of free-trade, he pointed to the tariff; but if any one complained that the right hon. Baronet had adopted free-trade principles, then we hear that the President of the Board of Trade, has said, in another place, "Oh, no such thing; only 315 pigs have been introduced, and surely you are not afraid of 315 pigs." Therefore, to use a metaphor which I have heard used before, when you are praising the right hon. Baronet for advocating free-trade principles with respect to certain articles, you place the pea under one thimble; but when, on the other hand, you are for dismissing all discussion on the question with respect to sugar and corn, you find the pea is under another thimble. When you find that your tariff does greater benefit to the farmer than the manufacturer, then that upon which you have been priding yourselves utterly disappears, and the First Lord of the Treasury and the President and Vice-President of the Board of Trade make it their boast that so very little has been effected by the very liberal measures they have themselves introduced. If this be the case, is it not really time to ask whether, going beyond the many useful changes in the tariff with respect to oils and other articles—you should not take into consideration those two great articles of consumption, sugar and corn. We were told last year that the measures then proposed to be adopted were calculated to improve the national resources, and that by extending our trade, they would stimulate the demand for labour, and promote the general and permanent welfare of all classes of her Majesty's subjects. If that were true with respect to all those articles which were included in your bill of last year, would it not be true with regard to those great articles of commerce, sugar and corn? Would that which is true in the application of free-trade principles with respect to all those minor articles of the tariff be false, when the same principle was applied to the great articles of human subsistence? And are we really asking anything very extraordinary when we ask you to act according to your own principles, and in which you were well-supported, and the adoption of which principles we say would contribute to benefit all classes? With respect to sugar, you maintain a prohibitory duty; and with respect to corn, you levy a duty of 40 per cent. The right hon. Baronet (Sir Robert Peel) said, that with regard to raw produce he had fixed the duty at 5 per cent. and under; while, with respect to articles partly wrought, he had fixed 10 per cent. by his tariff. Now, without discussing whether these several amounts are correct or not, may I not ask, supposing the right hon. Baronet adopted the same principle with respect to the articles of sugar and corn, would not the same consequences follow—would not the demand for labour be increased—would not trade be improved—nay, would not much greater advantages result from the adoption of the same principle with respect to those two articles, than had resulted from the application to the whole of the articles contained in the tariff of last year? We contend that these consequences would result from such a course; but there are those who say, on the contrary, that English labour would be displaced. Now, I can understand all that argument from those who are enemies to free-trade, and who are opposed to the right hon. Baronet upon the tariff; but that the right hon. Baronet should hold such an argument, and maintain such a doctrine with respect to sugar and corn, and yet advocate the very reverse of the doctrine in reference to all other articles of trade, is inconceivable to any man of plain understanding. But what, in my judgment, makes it a most dangerous course for this House to adopt such a distinction in the application of the principle is the fact, that it is known that the greater part of this House, and almost wholly the other House of Parliament, is composed of the holders of the land of this country. I was speaking to a person last year about his trade being ruined by the tariff; and he told me that he was a bootmaker, and that he was well satisfied he could not stand a competition with the French bootmakers. When I was expounding to him as well as I could the principles of Adam Smith, and other eminent political economists, he rather defeated me by saying, "I should have no apprehensions upon the matter, if I could live as cheaply in London as my competitor can live in Paris; if," said he, "you will put me in the same position as my rival." But that is what we will not do with respect to all those persons who are not of any distinction in the country, who have no seats in Parliament, who have no place in the cabinet, and who are not decorated with stars and blue ribbons. You treat all other persons quite differently from the holders of land. I will not now enter into the latter part of the speech of the right hon. Baronet, in which he referred to the comparative merits of the late and the present Government; but I must for a moment allude to one part of the speech of the noble Lord the Member for Lancashire (Lord F. Egerton), who also asked me if I would now propose an 8*s.* duty? The noble Lord said, that in case I should propose it, and should carry it, I should be subjected to a bloody audit, and to menaces of a very unpleasant nature. The noble Lord may think it a matter of triumph over me, if he is right in supposing that if an 8*s.* duty were proposed, it might not now settle the question of the Corn-laws. But what I stated last year was what my opinion at that time was, and still is, that in 1841 a duty of 8*s.* would have led to a settlement of this question for many years. At present the question is in the hands of the right hon. Baronet. It is for him to propose any alteration—either an alteration in the sliding scale, or the changing of it to a fixed duty; or if the right hon. Baronet should think proper to do so, and from some words which escaped him he would seem to signify that he should prefer such a change to any other, a total repeal of the law. All I have to say is, that I hope the noble Lord and those who go on defending and maintaining the existing Corn-law will take warning by some other events which have happened in our own day with respect to measures upon which they were as unwilling to give way as they are upon the present question. I perfectly remember when Mr. Canning having at a former time offered various securities for effecting Catholic emancipation—such as giving a certain influence over the Irish Catholic clergy—being asked whether he would still propose them? and that he replied, "No, the time is past for talking of securities—I will not be a security-grinder all my life;" and what did we afterwards see? We saw, not by Mr. Canning, but by the right hon. Baronet himself—the great enemy of that measure —a full concession, without any securities, given with respect to that very demand of the Catholics. Then, with regard to Parliamentary Reform. I brought forward various measures of reform, and I endeavoured to pare them down to that shape which I thought would give any chance of practically improving the representation of the country. I pared the measure down so far, that I once proposed only to give Manchester, Leeds, and Birmingham the right to return Members to this House. That was contumeliously rejected, the right hon. Baronet being then a Minister of the Crown, and the rejection of that proposition was regarded as a great triumph. I was defeated, and Manchester, Birmingham, and Leeds were held unworthy to have seats in the House of Commons. But what happened two years afterwards? The leaders of that very party—one of them in the other House, and no less a person than Lord Ellenborough, the present Governor-general of India stated a plan of reform prepared by them, not giving three towns, but twenty or thirty towns, the power of sending representatives to Parliament, while it also provided for the disfranchisement of a great number of boroughs. Thus, in the same way, that which was a triumph for the moment when the proposal for an 8*s.* duty was defeated in 1841, might not be the means of ultimately preventing a much larger measure than would have satisfied the country at that time. This I believe is quite true, that there is no feeling in any part of the country—neither amongst the farmers who have wished to see the law continued any more than amongst the manufacturers, who would wish to see it repealed—there is no feeling among any class that the law as at present enacted is likely to be of long continuance. If that be the case, and I fully believe it to be so, is it not desirable that now, and not next year, or the year after, there should be a settlement of this question? If you say you will endeavour to settle it now, your arrangements with foreign powers, especially with the United States of America, may abrogate and destroy many of those high restrictions which are operating against your manufactures, as well as against their own prosperity. If Ministers were tempted now to act on their own principles, they may obtain new markets and new means for the employment of our population. If they wait, they may not be able to secure the same advantages, and to the same extent; and with respect to foreign countries not to nearly the same extent. What in the mean time may be the progress of distress and ruin in this country, proceeding from bad to worse, it is not for any man to say. For myself, I trust that the House will assent to the motion of my noble Friend, for now is the moment when the principles agreed upon by nine-tenths of the House may receive with safety their full accomplishment.

Mr. *Cobden*: I rise to explain, being in the most extraordinary position in which any Member was ever placed. When the right hon. Baronet at the commencement of his speech assumed that I had referred to him personally, I thought that the word "personally" was used in the ordinary sense of personally offensive to him. I had not the least suspicion of any other meaning being attached to what the right hon. Baronet said. After I sat down, I heard an interpretation put upon his language which I shall not now particularise, and the remarks of the noble Lord the Member for London (for which I thank him), have given such a definite form to the insinuations of the right hon. Baronet, that I rise not for the purpose of offering any explanation ["Order"] beyond that which I gave. ["Order."]

The *Speaker*: I must inform the hon. Member that he has no right to address the House but for the purpose of explanation.

Mr. *Cobden* again rose [*amid cries of* "Order."] I had no intention of offering any explanation until I had given the right hon. Baronet an opportunity of giving an explicit explanation of what he said. ["Order," *and confusion.*]

The *Speaker*: I have already stated to the hon. Member, that he cannot make any observations but in explanation of something that he said.

Mr. *Cobden*: As such is the rule of the House, I beg to say that in what I stated I intended—and I believe every body but the right hon. Baronet understood what I meant ["No, no."] to throw the responsibility of his measures upon him as the head of the Government; and in using the word "individually," I used it as he uses the first pronoun, when he says, "I passed the tariff, and you supported me." I treat him as the Government, as he is in the habit of treating himself.

Sir *R. Peel*: I am bound to accept the construction which the hon. Member puts upon the language he employed. He used the word "individually" in so marked a way, that I and others put upon it a different interpretation. He supposes the word "individually" to mean public responsibility in the situation I hold; and I admit it at once. I thought that the words he employed, "I hold you individually responsible," might have an effect which I think many other Gentlemen who heard them might anticipate.

Mr. *Roebuck*: At this time of night I am not about to make a speech, but to ask the House to give me the opportunity of making an explanation on the part of a person not now present. It refers to a remarkable expression on the part of the hon. Member for Stockport (Mr. Cobden), applied to a noble Friend of mine in another place. He said that he did not believe a certain report, but that if he could do so, he should consider it, I think he said, the result of mania. I was wrong in the words I imputed to him. He said that he should consider it a maniacal display; but I am somewhat startled when I come to make even an explanation on this point from a very remarkable circumstance which happened to myself previous to this debate. The hon. Member for Stockport addressed me personally as a friend of the noble Lord to whom he alluded, and he made use of the same expressions, I afterwards took the liberty of applying to him to know if he were about to offer any remarks upon an observation which had been made in another place; because, if he were, I should be here to give the requisite explanation. His answer to me was, "I would advise you not to have anything to do with him—not to mix yourself up with him—for if you do, the Corn-law League will go down to Bath and turn you out." I feel nothing but contempt for any attempt of that description, and very little respect for the prudence which suggested the observation. I think it my duty to give this explanation and I am sorry that it has been thus forced upon me; but, on the part of my noble Friend I make it explicitly, and in terms which cannot be misunderstood. I make it on behalf of a long-tried, and I will say, in spite of any understanding by the hon. Member, a somewhat distinguished Friend, of liberal opinions as to trade, science, law and morals. Among other things he is a warm friend of freedom of trade, and more especially of freedom of trade in corn. Having strongly and deeply at heart the success of that measure, the noble Lord thought he was giving a just and a fair warning, which, from his position and long experience, he well might give, to those who were acting, as he believed, with good intentions, but who were connected with very imprudent persons. He said,—

> "Being a friend of Corn-law reform, I would beg and entreat the Corn-law League to separate themselves as soon as possible from those imprudent persons."

He added, that there had been insinuations of a kind, (and he put it in purposely veiled and guarded phraseology) which a late event had illustrated in a most painful and woeful manner. He again entreated, in language more powerful than I can employ, as one deeply interested in the success of the great measure for which they were banded together, that the members of the Anti-Corn-law League would separate themselves from that class of men who would use such dangerous expressions. Such was the advice which has been described as the result of a disordered imagination. On the 6th July (it may be very painful to allude to it, but it must be done) there was a meeting of the delegates of the Anti-Corn-law League, and their proceedings were reported next day in the *Morning Chronicle.* The *Chronicle* must have been read by the persons who were at that meeting, and they must therefore have been aware of what was reported. It so happened, however, that the noble Lord did not read that report in the newspaper, but he did read it as taken from thence in the *Quarterly Review.* The *Quarterly Review* was not quite so ephemeral a production as a newspaper; and it was, therefore, more likely to be known and commented upon. The noble Lord expressed his pain that some means were not taken either to give an explanation of those remarkable expressions, or that the tried Friends of the repeal of the Corn-laws did not separate themselves from such advisers. I must, Sir, discharge my duty, but I never had a more painful one cast upon me. I must, Sir, read in vindication of my noble Friend, that paragraph which he thus quoted: the name of the Gentleman to whom allusion was made I must mention also, and it is incumbent upon him, even at this late period, to explain away the meaning, or at once to justify himself before mankind. At the meeting of the 6th July the Rev. Mr. Bailey, of Sheffield, said,

> "There were several operatives who refused to communicate to him the history of their sufferings; they told him they knew his intentions were charitable, but as they thought his energies were made with a view to petitioning Parliament, they refused to enter into any disclosures. 'It was not words,' they said, 'would move Parliament, but force they should have if they did not change their system!' That was, no doubt, violent language; but it was not the oppressed, but the oppressors, that would be answerable for the consequences of the excitement created by the sufferings endured under our present legislation. . . 'He heard of a Gentleman,' a gentleman! 'who in private company said, that if one hundred persons cast lots, and the lot should fall upon him, he would take the lot to deprive Sir Robert Peel of life. He felt convinced that no such attempt ought to be made under any pretence whatever; but he was persuaded of this, that when he (Sir Robert Peel) went to his grave, there would be but few to shed one tear over it.'"

Now, Sir, it must be clear that the hon. Member in the expression which he used this night has been misunderstood by Gentlemen on the opposite side of the House; but I ask the hon. Member if he did not see the danger of using such language? when in an assembly like this there may possibly be a misconception of words like his, so very different from those I have quoted, how dangerous, at such a time, must be the use of such language by the parties against whom, as a real warning, honest and sincere, my noble Friend gave the advice which is now described as the offspring of a maniacal imagination. Passion does sometimes destroy people's judgment; and I believe that if the hon. Gentleman will retire within himself, and will weigh well the words he has used this night, he will find that there may be error on his part as well as on those on whom he is so ready to cast aspersions.

Mr. *Bankes*: Sir, after the length of this debate, I shall not detain the House, and I should not have risen now had I not been so unfortunate as not to catch your eye, when I rose immediately after the hon. Member for Stockport. It may, perhaps, be supposed that sôme of those emissaries which were to be got ready to send to Bath, to displace the hon. and learned Member from his seat, may be some of the same parties, as the hon. Member for Stockport informs me, have been sent into Dorsetshire by that same Anti-Corn-law League to examine the property belonging to me, and the condition of the labourers upon it. How long those emissaries may have been on my property, or in my neighbourhood, the hon. Member did not inform the House. I have been absent from that part of the country for some few weeks, and if those emissaries have been there so long, it may be that the condition of that neighbourhood is in the state which has been described by the hon. Member. With their tracts and their pamphlets sent over the hills and through the valleys, and pushed into the doors and the windows of the cottages, I cannot tell what effect they may have produced, and that they might rapidly produce an effect of that nature must be sufficiently evident after what the House has witnessed this night. I have only boldly and simply to state, that the assertions of the hon. Member, as to that part of the country, are not warranted by fact. That the condition of the labourers there is not such as I could wish, I have already admitted in this House; and I then stated, that whatever was the cause, whether or not it was in consequence of that alteration in the Corn-laws and the tariff which was made in conformity with the views of hon. Gentlemen opposite, it is unquestionably true that the state of the peasantry there is much worse now than it was this time last year. The hon. Member has been pleased to make me out as the decided enemy of the Anti-Corn-law League: that designation I am willing to adopt. But I tell the hon. Member that any endeavour I may use, or any speech which I have made—and some speech of mine has unhappily excited his irritation—will not have the effect of damaging the Anti-Corn-law League so much as his speech this night has done.

Mr. *Cobden* again rose and said, I wish, Sir, to give an explanation in consequence of what fell from the hon. Member for Bath. He has totally misrepresented my words in reference to—["Oh, oh"]—I beg to remind hon. Members down there [pointing to the Bar], that when I have leave from the Chair to use the privilege of explanation—I will use it fully and fairly, I have, Sir, been misrepresented. I did not describe the eminent individual to whom the hon. and learned Member has alluded as a maniac. What I did say was that I would treat the assertion, if proved to me to have been made, as the emanation of an ill-regulated intellect, and not as the offspring of a malignant spirit. When I used the word maniac it was when I said that I consoled myself with the belief that M'Naughten was a maniac. In reference to what fell from the hon. and learned Member as to what took place on this question with him. What was said passed in the library of the House of Commons, where I thought that conversations were considered as private. I treated the conversation as private, and I should always treat as private any conversation between me and any hon. Member in the library of this House. I am not acquainted with the forms or rules of this House, and probably I may be wrong. As to what the hon. and learned Member says fell from me by the way of threat, I put it to him. [*Cries of* "spoke, spoke."] It is highly necessary that I should explain for I should consider myself unworty a seat in this House, if I had ever uttered the words attributed to me by the hon. and learned Member in the menacing way he has described. I will explain what passed between us. I am not here to interfere with any hon. Member's seat. I am not here to dispose of boroughs. The hon. and learned Member asked me whether I intended to allude to the eminent individual who has been referred to, because, if I did, he wished to be present. I asked him whether he were about to justify Lord Brougham, and he said that he was. The conversation then passed to the circumstances when the hon. and learned Member opposed the Sabbath Bill in the House, and lost his seat in consequence.

The *Speaker*: I think the hon. Member has exceeded the proper limits of an explanation. The hon. Gentleman will, I am sure, perceive that I cannot permit him to reply to the speech of the hon. and learned Member for Bath.

Mr. *Hume*: Surely when an hon. Gentleman whose conduct has been brought before the House, states to that House that he has not been fairly represented, he cannot be prevented from entering into an explanation. I understand the hon. Member to be about to state what did take place, to remove any undue impression which may have arisen.

Mr. *Cobden*: I should not have alluded to the conversation about the Sabbath Bill, but that it was essential to the explanation which I was about to offer. [*Cries of* " spoke, spoke."]

Mr. *Mangles*: I rise to order. I appeal to the justice of the House whether the hon. Member ought not to be heard. A grievous charge has been brought against him, and if it is a matter of indulgence— if it is a little against the rules of the House—I think that it is only fair that he should, in explanation of his conduct, be allowed to show that which he says actually occurred.

Mr. *Hume*: I beg to move that this House do now adjourn.

The *Speaker*: I am sure that whatever the hon. Member for Stockport may have to say in justification of his conduct, the House will be ready to hear; and if he will confine himself to such observations, I am sure the House will hear him. If the hon. Member goes into a general reply in answer to the Speech of the hon. and learned Member for Bath, I feel it to be my duty to stop him.

Mr. *Cobden*: I will confine myself strictly to what I consider necessary to an explanation of what passed between the hon. and learned Gentleman and myself. When I alluded to the Sabbath Bill, and drew his attention to the fact, that in opposing that bill the hon. and learned Member had drawn upon him the hostility of the dissenting minister, I then stated, " If you justify Lord Brougham in this attack on the ministers who attend the conference of the Anti-Corn-law League, you will get into trouble at Bath, and you will be considered the opponent of that body, and you will have your Anti-Corn-law tea parties, and some Members of the League visiting Bath." Now, I come to the head " and front of my offending," that I menaced the hon. Member for Bath. I deny it. The spirit of my remarks was in strict friendship. I wish the House to understand that the hon. and learned Member threatened no attack on me in this House. He was proposing to justify Lord Brougham in attacking these Christian ministers. I could have no grievance against him; and I repeat it, that in the remarks I made, I had not the most distant idea of menacing him, and so far from wishing to see him out of Parliament, he is the last man I should wish to see removed from the seat which he now holds.

Viscount *Howick*, in reply, amidst much confusion, was understood to say, that after the lengthened debate which had taken place on this question, he felt it to be impossible for him to enter into a full discussion of the varied and various arguments which had been employed on both sides of the House. The right hon. Baronet at the head of her Majesty's Government, in the speech which he had addressed to the House, had said that to carry a proposition such as that which was now before the House would be to paralyse the efforts of the Government; and he had heaped ridicule on the right hon. Gentleman, the late Chancellor of the Exchequer, for the suggestions which he had offered. He felt, that if he had on this occasion come forward with any distinct proposition in the present stage of the proceedings, he should have adopted a course which was not parliamentary; and which would have subjected him also to the same ridicule which his right hon. Friend had experienced. For his own part, he begged to say that he had not said one word partaking of any party or personal consideration. He had discussed the question solely as affecting the highest and most important interests of this country—that was the spirit in which it ought to have been discussed; but if that was the opinion of the right hon. Baronet, he wished that he had inculcated that opinion in the minds of his Colleagues. What was the first word of party discussion which had been introduced? It was introduced by the right hon. the Vice-President of the Board of Trade, who had said that there never was a Government which made so little advance in improving our commercial regulations as that which had existed between 1830 and 1841. The right hon. Baronet the Secretary for the Home Department had followed in the same line, and the great staple of his speech was a tissue of party considerations. But he would adhere to the rule which he had laid down for himself, and would abstain from all further reference to this part of the question. All he asked the House was to determine whether they would or would not relieve the distresses of the people by an extension of the principles of free-trade. The Members of her Majesty's Government declared that about these principles there was no dispute; but in the very same breath they refused to adopt them in practice. The right hon. Baronet said that we made no consideration of circumstances; it was because we did take into consideration the circumstances of the country that he had felt it essential to the benefit of all classes of the community to submit the present motion to the House. There were other points to which he should have felt it to have been his duty to refer, had he replied at an earlier hour; but at that period of the night he would not trespass longer on the attention of the House.

Mr. *Ferrand* said, that it had been urged upon him by several hon. Members on his side of the House not to trouble it to divide on the amendment which he had proposed; under these circumstances he should, with the permission of the House, withdraw it.

Amendment withdrawn. The House divided on the original motion:—Ayes 191; Noes 306:—Majority 115.

List of the Ayes.

Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Archbold, R.
Arundel and Surrey, Earl of
Bannerman, A.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Bell, J.
Berkleley, hon. C.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bernal, R.
Bernal, Capt.
Blake, M. J.
Blake, Sir V.
Blewitt, R. J.
Bowring, Dr.
Brockelhurst, J.
Brotherton, J.
Buller, C.
Buller, E.
Busfeild, W.
Byng, G.
Byng, rt. hon. G. S.
Cavendish, hon. C.C.
Cavendish, hon. G.H.
Chapman, B.
Childers, J. W.
Christie, W. D.
Clay, Sir W.
Clive, E. B.
√ Cobden, R.
Colborne, hn.W.N.R.
Colebrooke, Sir T. E.
Collins, W.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Currie, R.
Curteis, H. B.
Dalmeny, Lord
Dashwood, G. H.
Dawson, hon. T. V.
Denison, W. J.
Denison, J. E.
Dennistoun, J.
D'Eyncourt, rt. hon. C. T.
Divett, E.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Dundas, Admiral
Dundas, D.
Dundas, hon. J. C.
Easthope, Sir J.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Elphinstone, H.
Esmonde, Sir T.
Etwall, R.
Evans, W.
Ewart, W.
Ferguson, Col.
Fitzroy, Lord C.
Fitzwilliam, hn. G. W.
Fleetwood, Sir P. H.
Forster, M.
Fox, C. R.
Gibson, T. M.
Gore, hon. R.
Granger, T. C.
Gratton, H.
Greenaway, C.
Grey, rt. hon Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Lord J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Heron, Sir R.
Hindley, C.
Hollond, R.
Horsman, E.
Howard, hon. C.W.G.
Howard, Lord
Howard, hn. E. G. G.
Howard, Sir R.
Howick, Visct.
Hume, J.
Humphery, Mr. Ald.
Hutt, W.
James, W.
Jervis, J.
Johnson, Gen.
Labouchere, rt. hn. H.
Langston, J. H.
Layard, Capt.
Listowell, Earl of
√Macauley, rt. hon. T. B.
McTaggart, Sir J.
Mangles, R. D.
Majoribanks, S.
Marshall, W.
Marsland, H.
Martin, J.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Morison, Gen.
Muntz, G. F.
Murphy, F. S.
Murray, A.
Napier, Sir C.
O'Brien, J.
O'Brien, W. S.
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Paget, Lord A.
√ Palmerston, Visct.
Parker, J.
Pechell, Capt.
Pendarves, E. W. W.
Philips, G. R.
Philipps, Sir R. B. P.
Philips, M.
Plumridge, Capt.
Ponsonby, hon. C. F.
Ponsonby, hon. J. G.
Protheroe, E.
Pulsford, R.
Ramsbottom, J.
Rice, E. R.
Ricardo, J. L.
Roche, Sir D.
Roebuck, J. A.
Ross, D. R.
Rumbold, C. E.
Russell, Lord E.
Rutherford, A.
Scholefield, J.
Scott, R.
Scrope, G. P.
Seale, Sir J. H.
Seymour, Lord
Shelburne, Earl of
Smith, B.
Smith, J. A.
Smith, rt. hon. R. V.
Standish, C.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, P. M.
Stuart, Lord J.
Stuart, W. V.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Thornely, T.
Towneley, J.
Turner, E.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Walker, R.
Wall, C. B.
Wallace, R.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
White, H.
Wilde, Sir T.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wood, B.
Wood, C.
Wood, G. W.
Wrightson, W. B.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the Noes.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Ackers, J.
Acton, Col.
Adderley, C. B.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archdall, Capt.
Arkwright, G.
Ashley, Lord
Astell, W.
Bagge, W.
Bailey, J.
Bailey, J. Jun.
Baillie, Col.
Baillie, H. J.
Baird, W.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Baring, hon. W. B.
Barneby, J.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, R.
Beckett, W.
Bell, M.
Benett, J.
Bentinck, Lord G.
Beresford, Major
Blackburn, J. T.
Blackstone, W. S.
Blakemore, R.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Brownrigg, J. S.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Burroughes, H. N.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Castlereagh, Visct.
Chapman, A.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Cochrane, A.
Collett, W. R.
Colquhoun, J. C.
Colville, C. R.
Compton, H. C.
Copeland, Mr. Ald.
Corry, rt. hon. H.
Courtenay, Lord
Creswell, B.
Cripps, W.
Damer, hon. Col.
Darby, G.
Dawnay, hon. W. H.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Disraeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marquis of
Dowdeswell, W.
Drummond, H. H.
Duffield, T.
Dugdale, W. S.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eastnor, Visct.
Eaton, R. J.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Estcourt, T. G. B.
Farnham, E. B.
Ferguson, Sir R. A.
Feilden, W.
Ferrand, W. B.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, Capt.
Fitzroy, hon. H.
Flower, Sir J.
Follett, Sir W. W.
Ffolliot, J.
Forbes, W.
Forester, hn. G. C. W.
Fox, S. L.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, J. N.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hn. H.
Graham, rt. hon. Sir J.
Granby, Marquis of
Greenall, P.
Greene, T.
Gregory, W. H.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hampden, R.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hillsborough, Earl of
Hinde, J. H.
Hodgson, R.
Hogg, J. W.
Holmes, hon. W. A.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Houldsworth, T.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Irving, J.
James, Sir W. C.
Jermyn, Earl
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kelburne, Visct.
Kemble, H.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Knight, F. W.
Knightley, Sir C.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Legh, G. C.
Leicester, Earl of
Lennox, Lord A.
Liddell, hon. H. T.
Lincoln, Earl of
Lockhart, W.
Long, W.
Lowther, J. H.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
Maclean, D.
Mainwaring, T.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Marsham, Visct.
Martin, C. W.
Martin, T. B.
Marton, G.
Master, T. W. C.
Masterman, J.
Maunsell, T. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Mordaunt, Sir J.
Morgan, O.
Munday, E. M.
Murray, C. R. S.
Neeld, J.
Neville, R.
Newport, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Owen, Sir J.
Packe, C. W.
Paget, Lord W.
Palmer, R.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pemberton, T.
Pennant, hon. Col.
Pigot, Sir R.
Plumptre, J. P.
Polhill, F.
Pollock, Sir F.
Powell, Col.
Praed, W. T.
Pringle, A.
Pusey, P.
Ramsay, W. R.
Rashleigh, W.
Reid, Sir J. R.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, C. G.
Round, J.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.

Smythe, Sir H.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, Lord
Steward, J.
Stuart, H.
Sturt, H. C.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thompson, Mr. Ald.
Thornhill, G.
Tollemache, hn. F. J.
Tollemache, J.
Tomline, G.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turner, C.
Tyrrell, Sir J. T.
Vane, Lord H.
Verner, Col.
Vivian, J. E.
Walsh, Sir J. B.
Walter, J.
Welby, G. E.
Wellesley, Lord C.
Whitmore, T. C.
Wilbraham, hon. R.B.
Wilmot, Sir J. E.
Wodehouse, E.
Wood, Col.
Wood, Col. T.
Worsley, Lord
Wortley, hon. J. S.
Wortley, hon. J. S.
Wyndham, Col. C.
Yorke, hon. E. T.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

Paired off (Not Official).

Barron, Sir H.	Repton, G. W. J.
Bellew, Sir M.	Lindsay, H.
Berkeley, Capt. hn. F.	Seymour, Sir H.
Bryan, Major	Price, R.
Bulkeley, Sir R.	Williams, T. P.
Cave, O.	Burdett, Sir F.
Carew, hon. S.	Duprè, A.
Clements, Lord	Bruen, Col.
Dalrymple, Capt.	Taylor, Capt.
Drax, E.	Wyndham, W.
Dundas, F.	Kerrison, Sir E.
Fielden, J.	Gore, Ormsby
French, F.	Alexander, N.
Gill, T.	Irton, S.
Guest, Sir J.	Waddington, H. S.
Hatton, Capt.	Adare, Lord
Howard, P.	Johnstone, H.
Howard, hon. Capt. H.	Codrington, C. W.
Heneage, E.	Ossulston, Lord
Johnstone, A.	Vere, Sir C. B.
Leveson, Lord	Scott, hon. F.
Loch, J.	Egerton, Lord F.
Maher, V.	Wynn, Sir W.
Maule, hon. F.	Neeld, J.
Morrison, J.	Palmer, G.
O'Brien, C.	Kirk, P.
O'Conor, D.	Saunders, D.
Oswald, J.	Cartwright, W. H.
Phillpotts, J.	Mahon, Lord
Pigot, R.	Jocelyn, Lord
Powell, C.	Kerr, D.
Power, J.	Vesey, hon. T.
Redington, T.	Hodgson, F.
Rawdon, Col.	Cole, hon. A.
Russell, Lord J.	Grant, Sir A.
Rundle, J.	Lopez, Sir R.
Sheil, rt. hon. R.	Christopher, R. A.
Somerville, Sir W.	Newry, Lord
Stock, Dr.	Coote, Sir C.
Trowbridge, Sir T., bt.	Somerton, Lord
Tuite, H. M.	Conolly, Col.
Vivian, Capt. H.	Planta, rt. hon. J.
Westenra, hon. Col.	Ashley, hon. H.
White, Col.	Bernard, Lord
Wyse, T.	Hayecs, Sir E.

REGISTRATION OF VOTERS.] Sir *James Graham* moved for leave to bring in a bill to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the election of Members to serve in Parliament for England and Wales.

Leave given. House adjourned at a quarter to four.

HOUSE OF LORDS,

Monday, February 20, 1843.

MINUTES.] PETITIONS PRESENTED. By the Earl of Clare, from Shepton Mallet, Oundle, Ceidio, Llandudwen, Llanarmon, Dyffryn, Ceiriog, Aber, and Llanbedr, against the Union of the Sees of St. Asaph and Bangor.—By the Earl of Clare, from Shepton Mallet, for Church Extension.

AFFGHAN WAR—VOTE OF THANKS.] The Duke of *Wellington* moved that the following paragraphs in her Majesty's Speech be read:—

> "Her Majesty is happy to inform you that complete success has attended the recent military operations in Affghanistan.
>
> "Her Majesty has the greatest satisfaction in recording her high sense of the ability with which these operations have been directed, and of the constancy and valour which have been manifested by the European and native forces.
>
> "The superiority of her Majesty's arms has been established by decisive victories on the scenes of former disasters, and the complete liberation of her Majesty's subjects who were held in captivity, and for whom her Majesty felt the deepest interest, has been effected."

They having been read, the noble Duke proceeded to say, My Lords, I rise, in pursuance of notice I have already given your Lordships, to ask your assent to a motion, the terms of which I had the honour of placing on your Lordships' Table on Thursday last. In calling your Lordships' attention for a short time to the subject of that motion, I beg to state that it is my intention to avoid adverting to any matter not strictly connected with the military preparations of our army in Affghanistan, except so far as to advert to certain historical matters contained in the papers on your Lordships' Table, in relation to antecedent circumstances, in order to elucidate the particular transactions to which it will be my duty to call your Lordships' attention. My Lords, the papers on your Table show—and there can be no doubt on that point—that there existed throughout Affghanistan disturbances in the course of the year 1841, not only to the north and east of the city of Cabul, but likewise to the north and west of Cabul, and not only to the south of Cabul, but at Candahar, and even to the south of Candahar. In short, my Lords, it is impossible to peruse those papers and not to see that the whole country was disturbed, and that it would have been impossible to move troops in small numbers from one part of the country to another, without coming into collision with an enemy, nor without great probability of the troops so employed being cut off. Indeed, there are accounts, in some of those letters, of detachments on their march to Cabul that were cut off and totally massacred; and on one occasion it even became necessary to abandon one of our military posts to the insurgents. In short, the whole country was in a state of insurrection and disturbance. In all parts of the country there were distubances and insurrections, which had totally put an end to all communication between the different parts of the country, except under the protection of large bodies of troops. Under these circumstances the insurrection broke out at the city of Cabul; but, my Lords, before I say a few words on that part of the subject, I wish to remind your Lordships that only a part of the troops were stationed at Cabul, for the protection of the seat of Government and of the head-quarters of the army. A large detachment had moved, under the command of General Sir Robert Sale, to suppress the insurrection in what are called the south-eastern provinces. My Lords, before General Sale had made one march he found himself engaged with formidable forces, and was himself wounded. Nevertheless, he continued his operations. Day after day he was attacked in flank as well as in front, and your Lordships will see by his own despatches how gallant must have been the behaviour of himself, of his officers, and of the troops under his command. The general in command at Cabul found it necessary to recall General Sale and order him to return to Cabul. The general in command found there was every probability of his being pressed in the absence of the force he had sent to suppress the insurrection, and keep open his communication with Hindostan. But General Sale found himself in no situation to obey this order, owing to the number of his wounded and sick, and owing to the total want of means for their conveyance. He found himself in consequence under the necessity of declining to return to Cabul; for he saw that if he had done so, he must at least have abandoned 500 of his wounded. He continued his operations, however, day after day, in the intention of reaching Jellalabad, and, as I shall presently show to your Lordships, he established himself at Jellalabad in a short time after he had marched from Cabul. But, my Lords, it must not be supposed that while marching through the country with a considerable force General Sale was able to suppress the insurrection. The insurgents continued to attack the posts occupied by the Shah's troops, and by our troops, throughout the valleys and passes leading from Cabul to Jellalabad; and it is a curious circumstance, that some of those very forces which seized the posts that General Sale and his brave troops were under the necessity of attacking, were placed in that neighbourhood under the direction of some of the Dooranee noblemen, to give succour to the Shah's government and tranquillity to the country, and to enable the army to use those valleys as a means of communication. My Lords, I mean to refer to those papers so far only as may be necessary to show the real state of the country at the breaking out of this insurrection, because it will throw some light on the events that followed. General Sale marched about the 14th of October, and on the 3d of November the insurrection broke out at Cabul. The house of Sir Alexander Burnes was attacked, and he himself was murdered. Several other officers were also surprised and murdered, and the stores in the town were seized and plundered. The pay-office was attacked and plundered. From that time forward the insurrectionists were active and the contests were continual. Besides the troops in the cantonments at Cabul, there was a camp on the heights on the opposite side of the river, which was broken up after the insurrection commenced, and part of the troops were sent to the citadel of Bala Hissar. After that detachment had been sent out, the troops which were left behind were barely sufficient to hold that post. The stores destined for the provisions of the troops were outside the cantonments, and the works by which they were defended, being unfinished, rendered their defence difficult and extremely doubtful. The troops in the cantonments were attacked, as it appears, immediately after the affair in the city on the 3d of November, when Sir Alexander Burnes and other European officers were killed. An attempt was made, by the Shah's desire, to get the better of the insurrection, but the troops were beaten back, and obliged to retire on the Bala Hissar. The contest continued between the troops in the cantonments and the insurgents in the city. All communication with the interior of the country was cut off; no forage could be got for the animals attending the army for the conveyance of stores and artillery, and attacks were made, without intermission, day and night, so that the troops were obliged to be continually under arms, day after day, and night after night, and indeed the whole garrison was obliged to be constantly under arms. They could have no relaxation or repose. The commissariat was not placed in cantonment, but was in a dismantled fort at a distance from it, which was immediately under the fire of a strong force, stationed in a place called the King's Gardens, at that time in the possession of the insurgents. It was, therefore, impossible for the army in the cantonment to communicate with the commissariat. Attempts were made to effect a communication, but it was found impossible to succeed in those attempts. The contest continued day after day, for the purpose, if possible, of carrying supplies of food and forage over to the troops in cantonments. As happens always under such circumstances, by degrees the men lost their spirits. They lost those spirits which generally accompany strength of body, they lost their habits of subordination and discipline; indeed, it appears clearly from the papers on the Table that the discipline and subordination of the army were completely gone. The animals belonging to the army were famished, and, upon the whole, never were men in a worse situation than that in which this body was placed in December, little more than a month after the insurrection had broken out, and the attack was made upon the house of Sir Alexander Burns, and he and other officers had been murdered. It was thought proper at that time to open negotiations with those who were understood to be at the head of the insurrection, and to guide the parties opposed to our troops, and (as it then appeared) to their own sovereign. In the course of their negotiations the gentleman who conducted them —the Minister of the British Government to the Shah Soojah—had occasion to have an interview with the person to whom he was treating, and that gentleman was murdered in the most treacherous manner. Notwithstanding this murder, and the circumstances by which it was accompanied — notwithstanding the treachery and breach of engagement which marked it—the negotiation was continued for the evacuation of the cantonment, and for the march of the troops back to Hindostan. My Lords, the disorganization of the army had already commenced; but the discouragement and want of confidence of the troops in their leaders were increased by these negotiations for the surrender of all for which the army had been called on to make such great efforts, and to endure so many miseries, inflicted by the severity of the climate and the want of food. Their discouragement was increased, I say, by these negotiations, which concluded in an agreement that the troops should evacuate the cantonments, and should proceed on their march back into Hindostan at a certain time, and a promise was made by the other party that stores of provisions, and the means of conveyance, would be supplied, to enable the army to make the movement. My Lords, I am sorry to say that when inquiry came to be made into the manner in which the troops were to be marched from the cantonment, they were not in a state of discipline, subordination, and order, to enable them to execute the movements which they were ordered to make. Without discipline or order, without confidence in their officers, I can hardly call them more than a mob with arms in their hands, and in fact they were almost driven out of their cantonment by the mob of Cabul, anxious for plunder. In this state they were followed, hour after hour, day after night, and night after day, in a mass in which no order could be distinguished, armed men mixed with camp followers and women, and fired at from every direction, notwithstanding the engagement made for their protection, having no means for the conveyance of the sick, no provisions, scarcely any clothing to shield them against the inclemency of the weather, and this continued as long as the human frame was capable of enduring such hardships. The whole body became more and more disorganized. The women were left in the hands of the chief who had negotiated for the march of the army, and had engaged to provide for their security and support during the march. After the women and some of the officers had been given up to him; others were taken prisoners; and, in short, my Lords, this distressing march continued till every one belonging to the army had either been killed or taken prisoner, except one, a medical gentleman of the name of Dr. Brydon, who succeeded in reaching Jellalabad. Such, my Lords, is the outline of these distressing events. It is very true, that there is no official account of these transactions; accounts of them have reached the Indian Government in private correspondence, extracts of letters, and other papers of that description, which, however correct may be the statements they contain, cannot be treated as official documents. It is not my wish to impute blame to anybody on account of these misfortunes. Inquiries respecting them have been ordered to be instituted in India; these inquiries were commenced by the late Government, and have been continued by the existing Government. I have not yet heard what is the result of the investigation, but I really believe it will be found that the statement which I have made to your Lordships is as nearly the truth as possible. The officer who commanded the troops, certainly, in the first instance, had not the power to take measures which might have prevented the misfortunes which I have described. He was very ill at the time, and the injuries which he subsequently sustained by a fall from his horse, rendered him incapable of making exertions which were necessary to remedy the evils which arose. I must say, that after the first few days, and more particularly after negotiations were commenced for the surrender of the citadel, which were carried on by the gentlemen at the head of the British military and civil affairs in Cabul, it would have been quite hopeless to expect that our forces could have been able to retain their position in that country. The negotiation aggravated all the evils of their position, and that sooner or later some great effort must have been made to remove our troops out of the country. I must do the Government which existed at the time in India the justice to say, that after the misfortune which befel our army every effort was made to collect troops, and to take measures to ensure the safety of the garrison, which, by its own bravery and good conduct, had established itself at Jellalabad, and likewise to protect and save the other garrisons and troops which were still in the Affghan country. The present Governor-general, I understand, landed in India on the 28th of February, 1842, and it appears that he gave his first orders in respect of these transactions on the 15th of March. Great difficulties were experienced in carrying into execution the measures ordered by the former government for directing troops on the Indus, with a view to the relief of the troops still remaining in the Affghan territory, owing to the want of the means of conveyance for the provisions, ammunition, treasure, and other articles which were to be carried, and without which it would have been useless to attempt to relieve any of the garrisons or troops. These difficulties were to be attributed to many causes, and, among others, to the vast loss of the animals used for the purpose of carrying burthens throughout the war, which had then existed for two or three years, and to the vast slaughter and destruction of the persons who attended upon and drove those animals. It unfortunately happened, also, that the Government had agreed to hire the animals which were to be employed in carrying those things which were necessary for the garrisons and troops in Affghanistan, instead of purchasing them, and hiring persons to take care of and drive them. I have served in India, and I know that a difference of opinion prevails as to which is the best course to pursue, whether to hire the camels or to purchase them; perhaps, in some parts of the country, it may be desirable to take the camels and their drivers on hire, and in others it may be desirable to purchase camels for the use of the state, and to hire persons to drive them. However that may be, it is evident that the error in these transactions was this, that the camels, being taken on hire, were hired to go to Jellalabad, and no farther. The camels were knocked up at

Peshawur, or the drivers did not choose to go further, and the consequence was, that there were no means of conveying the ammunition, provisions, and other necessaries beyond Peshawur. No advance of money, no promises, no temptation that could be held out could induce the camel drivers to advance beyond that point, and thus the efforts which had been made to relieve the garrison at Jellalabad were frustrated. General Nott, who had so gallantly taken possession of Candahar, was, in the mean time, doing everything to defend himself and the troops under his command in that position; but it was impossible to get him to move, not alone on account of the military difficulties of the country, which was well defended by the armed inhabitants, and which has, at all times, been the great feature of defence in that territory, but also because, even if the country had been open, he could not stir for want of the means of conveyance for ammunition and stores. Under these circumstances, the Governor-general in council issued an order on the 15th of March, in which he declared what his intentions were with respect to the relief of the garrisons and other operations to be carried on in Affghanistan. The first operation was with respect to the troops collected at Peshawur—collected as fast as they could be collected both by the preceding and the existing Government. The existing Government turned its immediate attention to furnishing those troops with the means of conveyance. It was found that the troops could not move until the end of the month of March, and, in point of fact, our force entered the Khyber Pass on the 6th of April, and arrived in due course of time at Jellalabad, where they formed a junction with General Sale. It is but justice to Major-General Sale to state that he had with great labour and skill fortified his post at Jellalabad, that he made repeated sorties, in which he drove back the enemy, and that on the 6th of April, before he was joined by the reinforcements from Peshawur, he made another successful sortie against the enemy, who had come down with his whole force, with the intention of attacking Jellalabad. General Sale attacked the enemy's camp on the 6th of April, and gained a complete victory, taking possession of all the enemy's cannon and stores. Thus General Sale relieved himself, and General Pollock marching through the Khyber Pass, according to orders, arrived at Jellalabad. This was the first operation that was performed. But though the garrison at Jellalabad was relieved, there were still other garrisons without the means of communicating with Hindostan, or with other posts belonging to the British army, and which were not secure against the evils which had befallen our troops at Cabul. There was a considerable force at Candahar, a sufficient garrison at Ghuznee, another garrison at Khelat-i-Ghilzie, and another at Quetta. Now, the object must have been, at that time, to secure communications with all those posts, for, whatever might be intended in respect to future connection between the British power and the Affghan country, it was indispensable that, at least, the troops then in the country should be placed in safety. For my part, being at that time a Member of her Majesty's Council, that which I felt to be necessary above all things, was to secure communications with all our troops in Affghanistan, and, if possible, to bring off all the garrisons and the prisoners; and, I confess, I thought that if those objects could be accomplished, everything would be done which could be required for the honour and character of the country. The noble Lord at the head of the Government in India continued his efforts to effect these objects. The garrison at Candahar, the force under General Sale at Jellalabad, and the troops under General Pollock, which had joined him there; the garrison at Quetta, and the detachment under General England, were all equally without the means of conveyance for the ammunition and other things essential to the movement of an army. The Governor-general continued his efforts to supply the means of conveyance. If your Lordships will take the trouble to look through the volume of papers, you will see what efforts the Governor-general made to this end; you will perceive that he was in constant correspondence with all manner of persons who could aid and assist him in his object; you will find that he was in constant correspondence with the officers commanding in the Affghan territory, with the view of ascertaining what they wanted, and what progress was made in supplying their wants. Your Lordships will likewise perceive, that the Governor-general was also in correspondence with those officers, in order to ascertain at what period it would be most expedient, with reference to the health and efficiency of the troops, for them to retire from Affghanistan. The Governor-general obtained the officers' opinions on that subject, and as early as the 15th of March, the noble Lord indicated clearly his intention not to embark again in the re-conquest of the country, however desirous he might be to make it felt that the British power had the means of avenging any injury which might be inflicted upon it. I mention that circumstance, not for the purpose of raising any political discussion, but only because it is a fact material to be known in the progress of my narrative. On the 19th of April, the Governor-general having then obtained further information with respect to the wants of the several armies in Affghanistan, and having just received an account of the failure of one detachment, under General England, in an attempt to reach Candahar by the Khojuk Pass; and being sensible of the mischief which must result from the want of communication between the several bodies of troops in Affghanistan and the Government in Hindoostan, and with each other, directed that the generals commanding at Candahar, Jellalabad, and elsewhere should turn their attention seriously to the withdrawal of their troops at the period at which it should appear most reasonable to do so, with the least inconvenience to the troops, and in the manner most likely to tend to the preservation of their health and efficiency; for, my Lords, the climate in some districts of that country is such that in winter, troops cannot be exposed to it—in others, rains are likely to impede the progress and injure the health of an army. Under these circumstances, the Governor-general, on the 19th of April, gave directions for the withdrawal of the garrisons from Candahar and Khelat-i-Ghilzie. It appears from the correspondence that the generals commanding those troops were of opinion that it would not be expedient, with reference to the health and efficiency of the troops, even supposing they were supplied with the means of conveyance, to retire until the month of October. The Governor-general then issued instructions to General Nott, the officer in command of the troops at Candahar; which instructions, I must say, are some of the handsomest I have ever seen given by any authority to any officer whatever. I have been employed on many occasions, and have, of course, received various instructions given under circumstances of difficulty; but I must say that I never saw any instructions more handsome and fair towards the individual who was to carry them into execution, than those written by Lord Ellenborough to General Nott. I must also do General Nott the justice to say, that he accepted the instructions most gallantly, and carried them into execution with equal decision and gallantry. I honour him for it. He made no difficulty about the instructions: he took time to consider, as he ought to have done; and, having so taken time to consider, he accepted the instructions, and carried them into execution. The transaction is equally honourable to both parties; and I hope your Lordships will be induced to give your thanks both to the author of the instructions and to the gallant officer who carried them into execution. Under his instructions General Nott, who had been twice engaged with the enemy at Candahar, and defeated him on each occasion, marched out on the 10th of August, and he again defeated the enemy, though greatly superior in force to his own army. The gallant general pursued the enemy to Ghuznee, where they posted themselves on the heights, under the protection of the fire of that fortress. On coming up with the enemy in this position, General Nott attacked and again defeated them. He then attacked the fortifications and citadel of Ghuznee, and obtained possession of them on the 8th of September. In the meantime, the Governor-general was in correspondence with General Pollock in the neighbourhood of Jellalabad. That general had been supplied with means for conveying his provisions, ammunition, and everything he required to enable him to move forward. General Pollock, having sent detachments against some of the chiefs who occupied castles between Jellalabad and the Khyber Pass on the one side, and between Jellalabad and Cabul on the other, was enabled to advance on Cabul. He moved forward, and in that very valley in which, as I have stated to your Lordships, our people had formerly been massacred on retiring from Cabul, he gained a victory over the enemy. He followed up his success, and continued his attacks upon the enemy day after day, until he arrived at Cabul, and hoisted his standard on the

Bala Hissar on the 16th of September, where he was joined in a day or two by by his brother General Nott, who had marched on Cabul after having, as I before stated, taken and destroyed the fortress of Ghuznee. Thus did our victorious forces unite, in the middle of September, at the spot where our great previous disasters commenced. When I state to your Lordships that the Governor-general landed in India on the 28th of February; that he gave his first order relative to these transactions on the 15th of March; and that between that day and the 16th of September, the great misfortune which we had suffered was thus remedied—I think I am entitled to ask of your Lordships this: that her Majesty, having expressed her approbation of these services in her gracious Speech at the opening of the Session, your Lordships will support her Majesty in the step which she has taken. I have not stated all. Several of our countrymen and countrywomen were prisoners in the hands of the enemy. Between the 16th and the 26th of September, all those prisoners were safe in the hands of the British generals. Several of the prisoners had been delivered by General Nott at Ghuznee—for there also a capitulation had been made without any cause—without any pressure upon the officers who made it; and they who made it were afterwards cut up and destroyed, and their unfortunate troops carried into captivity and sold into slavery. Thus, in less than six months from the period when the Governor-general landed in India, and issued his first order relative to these transactions, everything was done which the most sanguine mind could have formed an expectation of for remedying the evils and misfortunes which had occurred in the previous December and January. I now conclude by moving—

"That the thanks of this House be given to the right hon. Lord Ellenborough, Governor-general of the British possessions in the East Indies, for the ability and judgment with which the resources of the British empire in India have been applied in the support of the military operations in Affghanistan.

"That the thanks of this House be given to Major-General Sir George Pollock, G.C.B.; to Major-General Sir William Nott, G.C.B.; to Major-General Sir John M'Caskill, K.C.B.; to Major-General Sir Robert Henry Sale, G.C.B.; to Major-General Richard England, and the other officers of the army, both European and native, for the intrepidity, skill, and perseverance, displayed by them in the military operations in Affghanistan, and for their indefatigable zeal and exertions throughout the late campaign.

"That this House doth highly approve and acknowledge the valour and patient perseverance displayed by the non-commissioned officers and private soldiers, both European and native, employed in Affghanistan, and that the same be signified to them by the commanders of the several corps, who are desired to thank them for their gallant behaviour."

The Earl of *Auckland* ventured, with some reluctance, to follow the noble Duke, and, in so doing, he would in the first instance acknowledge the temperate, judicious, and impressive manner in which the noble Duke had brought the subject before their Lordships. It was a subject on which he having been connected with the proceedings, naturally felt most anxious. Whilst he acknowledged that there was nothing in the speech of the noble Duke which seemed to cast blame on him, he was anxious to point out what had been the conduct of the Government of India during the time he had presided over it with regard to this subject. The noble Duke first alluded to the disastrous events of the war. On those events he did not intend to go into any detail. Those engaged in them met with a calamity which came on them most unexpectedly; and he should only say—without at all prejudging the verdict which must be come to elsewhere—that they were brave, amiable, and able men. Under what circumstances this disaster was brought upon them, from what cause those assembled at Cabul failed to restore the order which was so fatally disturbed, were matters under inquiry, and upon them he should give no opinion; he should only say, as the head of the Government of India, he was advised that the force then at Cabul was more than sufficient for any emergency that could be looked for, and that he was even pressed to withdraw part of that force. He should not enter into the details of these painful events, but he requested their Lordships to consider the embarrassing position in which he was when the difficulties consequent upon them were brought to his notice. Three or four months before the intelligence of the outbreak at Cabul reached Calcutta, he had sent his resignation to the Government at home, at a time when tranquillity reigned throughout India When the intelligence of these disasters came he would gladly, if allowed, have remained in India and have grappled with them, but his successor was on the seas, and all he could do was to provide that successor with the best means in his power of overcoming those difficulties. His first measure was to send across the Sutlej, as a reinforcement to Sir R. Sale, such regiments as could best be spared, amounting (he thought) to 7,500 men. When the accounts came of the massacre of Sir W. N'Naghten, and the further difficulties of the army, that force had been increased, and before he resigned the government 3,000 men in addition were on their march to Peshawur, making 10,500 in the whole, with which force General Pollock had been able ultimately to penetrate the Khyber Pass, and to assist in carrying through those great and admirable operations which the noble Duke had so well described. The noble Duke had, without ascribing any blame personally to him, detailed the extent of the difficulties attending the advance of the force, for want of cattle and the means of carriage. He believed he might say, that his attention had been often attracted to this subject, and that not fewer than 6,000 camels had been attached to the force. But as they approached the scene of danger their numbers diminished. Even when camels were purchased drivers could not be hired; and where the camels were our own the drivers deserted, and they deserted also from the hired camels, and it was only by offering high rewards that General Pollock was able to obtain the means of carriage, and then only scantily and insufficiently. The same thing might be said of General Nott's force at Candahar. Almost immediately before the outbreak he had from three to four regiments stationed away from Candahar, in Zemindawur, at Derawut, and at Khelat-i-Ghilzie, all requiring camels from Candahar. The regimental camels, carrying the tents and baggage of the sepoys, were provided by the Government; the commissariat camels were hired from the Affghans. When the outbreak took place, the camel drivers of the country deserted, and the contractors retired. He, however, had lost no time in exerting himself to afford General Nott the means of supply and of support. He took that opportunity of saying that throughout these transactions, to no man in a public office was the public service under greater obligations than to Major Outram; a more distinguished servant of the public did not exist, and one more eminent in a long career. Major Outram exerted himself in collecting camels and stores. From Rajpootana, Joudpore, and other places, 3,000 camels were obtained, and marched on the 10th April from Sukkur to Quetta, and thence to Candahar, and with these camels General Nott was enabled to effect his march, for which he was indebted in a great degree to the zeal and promptitude with which Major Outram had acted. In saying this, he did not wish to detract from the laudable and active endeavours of the present Governor-general; but such had been the exertions of the Government he had succeeded, that nothing on their part had been wanting (as the noble Duke had most handsomely said) which could enable the Government to repair the disasters sustained at Cabul. This was all he thought it necessary to say as to what he had done. If, in the course of the discussion, anything should call for further explanation, he hoped their Lordships would permit him to give it. He now came to the motion of the noble Duke, and he was ready to admit that his noble successor had been active, zealous, and able in supplying the wants of every part of the army. On what may be supposed to be questionable points he said nothing; but by the order of the 4th July, he thought his noble successor became a partner in the expedition from Candahar to Cabul, and in the combined operations, the consequence of which had been the wiping off the stain upon our military honour, which it had received for one moment and in one place, and the conferring an immense benefit upon India. To General Nott, as well as to other officers, he concurred in awarding great praise. The choice given to him was either the safe course of not exposing his army to danger, or that of undertaking one of the most hazardous enterprises, in order to secure a great object. He chose the most dangerous, but the most advantageous and glorious path. He had confidence in his army, and his army had confidence in him, and he succeeded. After what had been said by the noble Duke, it would be superfluous for him to dwell upon the brilliant qualities for command which had been displayed by General Pollock, or upon the undaunted firmness of General Sale and his brave garrison. He had sincerely exulted in their success; and he would conclude by heartily joining with the noble Duke in his admiration of the conduct of the officers and men of these brave armies. He trusted the expression of their Lordship's thanks would be unanimous.

The Marquess of *Lansdowne* said, in the few words I think it my duty to address to the House I shall certainly endeavour to imitate the example so properly set by the noble Duke, and so carefully followed by my noble Friend behind me, in abstaining from any topic that can raise political discussion. I am happy in being able to say, that after considering the words of the resolution which has been proposed by the noble Duke, and which, at my request, he was so obliging as to put us in possession of at our last sitting, I do not feel myself in any degree compelled to offer any opposition to it. I feel, my Lords, that worded as that resolution is, it conveys no praise but that in which I can conscientiously concur. Undoubtedly, I am bound to say, that had it embraced a more extended field with respect to the conduct of the present Governor-general, I might have felt it to be my painful duty (and if I could not, some other noble Lord would have done so) to make such comments upon it, as must have disturbed the present unanimity. I do not, I cannot deny to the noble Lord, now Governor-general, the praise of having assisted and promoted by his activity and abilities those movements which have terminated so successfully, and of having employed the means which my noble Friend so justly stated he had left at the disposal of his successor diligently prepared, and calculated in the highest degree to retrieve the honour of our arms—means which, when given effect to, terminated in the successful and decisive measures which your Lordships have heard described. To the resolution, framed as it is, I cannot do otherwise than give my assent. I may be permitted, however, before I sit down, even after the speech of the noble Duke, who has entered into all the details connected with the subject, to add a few words as to the resolution, which, no doubt, will be adopted with the greatest satisfaction, and which will convey the tribute of applause so justly due to the exercise of ability and valour, equal to any that has ever been displayed. I will say I have risen from the perusal of those despatches, which, in the performance of their duty, the Queen's Government has laid before us, with admiration not only of the valour, not only of the perseverance, but of the ability, foresight, judgment, and prudence displayed, not by one, but in various degrees, by three or four generals, who may in future be called eminent commanders in her Majesty's and the Company's services. For, my Lords, let me impress on you—in measuring the amount of gratitude, an expression of which you are called on to adopt—one particular and striking feature in the merits of these commanders. It has often fallen to the lot of the two Houses of Parliament—happily from the character of this country, most frequently in time of war—to express their gratitude for services performed by military men, which have on those occasions, been carefully described. Sometimes, but more rarely, this House has been called on to offer a still stronger expression of gratitude to persons invested, by the nature of their situations, with high office and command, responsible to no other person but their country, not only for their valour, but their discretion; but, my Lords, there is a third class of cases—to one of which your attention has this day been called—which I conceive higher in degree than either of those to which I at first adverted. It has so happened, from the peculiar combination of circumstances to which the noble Duke adverted, that not only one, but every one of these three generals whose names are particularly referred to, have been called on to take on themselves a responsibility, not originally vested in them, but imposed by the force of circumstances, and involving the character, reputation, and feelings of this country, as well as the safety and existence of the army committed to their charge. In no one of these instances has any of these generals shrunk from the responsibility thus imposed on him. Though nominally in a subordinate situation, each has been called to the performance of duties the greatest to which any man can be summoned. I will shortly advert to the peculiar circumstances affecting their situation, and to the distinguished success which attended the efforts of these three great officers. It is unnecessary for me to follow the noble Duke in detailing the situation and services of Sir R. Sale. Independently of the detail which the noble Duke has given, the events at that period are well known, from the constant and anxious interest concerning them taken by the public—an interest inspired not merely by the public services of those engaged in them, but tinged with associations of a chivalrous if not of a romantic nature. There are none, I believe now in this country who attend to passing events that are not familiar with the constancy and courage of Sir R. Sale, in his never-to-be-forgotten defence of Jellalabad—a courage which, in the midst of neighbouring disaster, disappointment, and confusion, showed itself like a lighthouse amidst the storm, and which, in the midst of surrounding darkness, displayed its steady light, keeping alive the honour of the British character, until by unexampled exertions this great general was enabled to encourage the efforts and assist in the furtherance of the plans by which the whole country was recaptured, and the honour of British arms finally completed and effectually re-asserted. My Lords, I say this was no common service, because it was rendered under every circumstance that could impose difficulty, and displayed not only a military fitness for his high command, but a high intelligence when thrown on his own resources. In no one instance, amid the varied changes of fortune and the hazards of war, was his determination for a moment shaken. Similar has been the conduct, in a different situation, of General Pollock. He was left for several months at Peshawur, to prepare for the advance which was finally made. I do not mean now to enter into the circumstances which induced the Governor-general to hesitate for a considerable period as to the permission to General Pollock to advance, as detailed in the despatches on your Table; and in one despatch, not on the Table — one unaccountably not received, though, I can prove from a subsequent despatch that it must have reached the hands of the Governor-general. [Lord *Fitzgerald*: There is no such despatch in this country.] I am perfectly aware of that; and I allude to these despatches, not for the purpose of condemning the course which the Governor-general took, or of condemning the hesitation which seems to have lasted for two or three months, but for the purpose of doing full justice to the officer who took on himself the resolution to march, and ultimately assisted in ending the war. But General Pollock would not have been able to make that advance, if it had not been for the corresponding advance of General Nott from Candahar to Ghuznee. I heartily join, therefore, in the praise bestowed on the determination evinced by General Nott. During the whole period from April to July he appears to have occupied his mind with an examination of all the difficulties, and the instant he received the despatch giving him the option to which the noble Duke referred, surmounted them all, and without hesitation embraced the more difficult but more gallant course. I implore your Lordships to read his own despatches, because no language could do such honour to his character as that in which he conveys the feelings and views with which he advanced from Candahar to Ghuznee. I say an advance: because, though in the Governor-general's despatches the word 'retire' is used, he was after a march of three hundred miles, nearly as far from the frontier as before; and his march had the practical and moral effect of an advance, particularly as he twice defeated the insurgents in his progress and after the destruction of Ghuznee, contributed to re-establish the honour of the British arms on the very scene of former disasters. Now, my Lords, however desirable it was, and however natural an object it might be, to place the British army on the side of safety and connection with the frontier of India, I do not think that after what has passed that result would have been completely satisfactory if General Pollock and Nott had hesitated, from the moment they had sufficient means in their disposal, to vindicate the superiority of the British arms, and to show that, when effectively conducted, our military power could never be successfully resisted. In having so done, they have left a lesson to their country never to be forgotten, and rendered such a service as well deserves any thanks it is in the power of Parliament to convey. I say again, I advert to the extreme caution of the Governor-general, not for the purpose of casting censure on him, but of doing full justice to those officers who took on themselves the responsibility of advancing, and whilst loaded with cautions (to use the language of Sir Jasper Nicolls) exhibited a determination and confidence in their own resources, which contributed more than anything else to the ultimate triumph of our arms. It is to their spirit which may be traced running through all their despatches that a success so complete is to be ascribed. Therefore I most heartily and sincerely join in the testimony of the military part of this expedition which has been borne by a far higher authority, and I sincerely hope that, by the joint efforts of our generals, any stigma cast on our reputation from whatever cause arising, has been effectually wiped off, and the power and honour of the British arms effectually established. I have nothing more, my Lords, to say, being sensible that, considering the magnitude of the subject, I have treated it with too great brevity, whilst, recollecting the unanimity of your Lordships, I fear I have trespassed on your patience too far. I humbly but cordially express my concurrence in the praises bestowed by the noble Duke for a series of operations in which I must be permitted to say my noble Friend near me (Lord Auckland) has had an honourable share, and the success of which he had ensured by the full, adequate, and well-considered preparations in which he was engaged up to the last moment of his tenure of office, not a man or a gun having been employed in these brilliant operations that had not been by him provided and by him allotted to this special service.

Lord *Fitzgerald* said, the course which the debate had taken, and the tone of the speeches which had been delivered, relieved him from entering on topics of a varied character, which he had thought were likely to be made the subject of discussion. Before he proceeded to any other matters he must be allowed to rejoice at the proceedings of the debate, not because the high authority of the noble Duke would have been sufficient to overrule any opposition which under other circumstances might have been offered to the vote now asked, not because of that speech of the noble Duke, to which their Lordships had listened with such deep interest, but because their Lordship's approbation was enhanced and increased in the highest degree, on account of the motion now before them having been made by the illustrious Duke who had brought it forward. That circumstance would give to their Lordships' vote, in the eyes of the present Governor-general of India, a priceless value. It would be the same with respect to the Indian army—the same with respect to every European officer, and to every sepoy. By them it would be received as a high and additional distinction that the vote of thanks had been moved by the noble Duke to that army at the head of which he had gained his first brilliant triumphs, and associated his name for ever with their achievments. For these reasons he rejoiced that the noble Duke had been the mover of the vote now before their Lordships; and as he had so nobly and clearly performed his task, it would ill become him to reiterate the praises bestowed by his noble Friend. He must, however, be pardoned for alluding to the speech of the noble Lord, the late Governor-general of India. To that speech he had listened with the deepest interest, and he felt that its tone, its manner, the unruffled style in which the noble Lord had alluded to his own services and exertions, and the liberal spirit in which he had referred to the Governor who had succeeded him, could not fail of exciting similar sensations in the minds of every one who had listened to him. Even had he been prepared for a discussion of a different kind from that which their Lordships were engaged in, he felt that the spirit of the noble Lord's speech would make it almost impossible for the strongest party man to follow in the course alluded to. In the observations of the noble Marquess too, in alluding to the question with respect to the suspense of the orders for advance, the noble Marquess had in a liberal spirit stated that he did not allude to that circumstance as being in the nature of an imputation upon the conduct of the Governor-general, but with the view of proving to the House the merits of the officers and men who had so successfully achieved the late Indian triumphs. He would, therefore, deal unjustly with Lord Ellenborough were he to go into the consideration of points suggested by the speech of the noble Marquess in any other spirit than that which had characterised that speech. But he could show, from the despatches before the House, that the extreme caution which had been imputed to the Governor-general—no, he would not say "imputed," because to one similarly circumstanced with Lord Ellenborough it would be a compliment to show that he had acted with great caution—he could prove that in no part of his operations did he interpose to prevent an advance pressed for and recommended by his generals. Certainly not. Even in the despatch in which that noble Lord directed the withdrawal of the troops, he held out the prospect and expressed the intention of further operations, and in no one of his instructions were there not means indicated and directions given for the infliction of a grand blow—a complete retribution on those whose treachery had caused the destruction of a gallant and unfortunate army. Nay, it was capable of being proved, from the despatches before the House, that at the time when the Governor-general penned the instructions of the 19th of April, which had been already alluded to, two letters bearing date by a curious coincidence, upon the days immediately preceding and subsequent to the 19th of April—that was upon the 18th and 20th of April, and written by Generals Nott and Pollock—not only indicated but pressed upon the attention of the Governor-general their inability to attempt at that time, provided only with such supplies as they could then command, any movement in advance. He could refer their Lordships, if it were necessary to go into detail upon the subject, to the numbers of despatches proving this. One of them would, at all events, be in the memory of the noble Marquess, who had given so much of his attention to them. He alluded to General Pollock's despatch of the 18th of April, in which he says,—

> "My situation at the present moment is a difficult one, and much as I deprecate any retrograde movement, such a step is by no means improbable, as I have not yet been able to get in supplies in sufficient quantities to warrant my remaining here."

He would ask, then, if these instructions of the Governor-general had not been issued to officers impatient, but unable to proceed? General Pollock, in another despatch, referred to the difficulty of keeping the Khyber Pass open. He says that he had communicated with Captain M'Gregor, who had passed through the defile eight times, upon the subject, and that it was his opinion that it would be necessary to have a force of 8,000 men to keep it open. The same circumstance was referred to in the correspondence of General Nott. But really he did not desire, in a case like the present, when such general unanimity prevailed, to allude to any details which might chance to mar that unanimity; but the explanation he had entered into had been drawn from him by the observations of the noble Marquess who had just sat down. The noble Duke had, in a manner so lucid and perfect, brought before their Lordships the military details of the late operations, that to that part of the subject he did not think it would be becoming in him to add one single word; but, connected as he was with India—responsible, as he admitted he was, and claimed to be, in common with his colleagues, for the administration of the government of that country—deeply interested as he felt in its success—interested in all that concerned the noble Lord, the present Governor-general, and in the honour and character of the Indian army —he felt that it would have been unbecoming in him had he hesitated in coming forward, even in a debate characterised by the unanimity of the present discussion, in order to bear his testimony to what he believed to be the valuable services of the noble Lord the present head of the Government in India. He had had many opportunities, from familiarity with the correspondence of that noble Lord, of knowing that no man, not even the noble Lord the late Governor-general, had ever brought to the discharge of his high duties more indefatigable zeal and a loftier order of ability. He not only possessed those great qualities in himself, but he was the means of inspiring into those around him the same desire to perform to the utmost their various duties. He animated all the public functionaries by that spirit of zeal and energy which was conspicuous in himself; and when the noble Earl opposite talked, in the high terms which he had employed, of the services of Major Outram—terms in which he most cordially concurred—he would yet beg to say, that not to that officer alone, but to every one employed by the Governor-general, did the same degree of praise justly belong. Let them look to the commissariat, to be satisfied of the exertions and zeal of the noble Lord, the Governor-general. The whole energies of his mind had been directed to the unfailing supply of the army. The fame of success on that point was all his own. It was the Governor-general who had fitted the soldiers for service, and enabled them to gain the victories they had achieved. With respect to some points connected with this subject, there were two or three observations which, although they did not strictly arise from the speeches which had been delivered, he would yet briefly allude to. He abstained from going into the details of the correspondence before the House, and he earnestly desired to avoid anything which might occasion a difference of opinion with respect to the comparative merits of individuals, because on this subject unanimity was most desirable, not only in the House, but among the people of England; but with respect to certain circumstances preceding the war, he was doubly happy that the noble Duke had, in his enumeration of the late operations, spoken with deep and proper feeling of these unfortunate transactions, and those who had been engaged in them. It was in feeling and commendable terms that the noble Lord opposite had also alluded to the subject, and for his own part he did not think it fit to bring before the House the transactions of men whose conduct was now under a commission of inquiry in India. But circumstances against which they were unprovided had led to many calamities. The gallant and unfortunate officer who commanded on the occasion alluded to was suffering under sickness, indeed he had made preparations for returning home, and when he fell into the hands of the enemy he had been wounded and betrayed. When, therefore, they applauded success, let them not forget to speak tenderly and with feeling of the mishaps of the unfortunate. He thought, however, that he might remark that with respect to these distressing transactions there had been exhibited instances of the greatest personal intrepidity, of devotion under suffering, and manly bearing to the very last, among those who formed a portion of that devoted host. The noble Marquess had followed the example of the noble Duke, and had done justice to the conduct of Sir Robert Sale, and he could safely affirm that these services had not been too highly estimated. The maintenance of Jellalabad was the point on which the whole of the late successes turned, and although he would not go the length of saying that the advance upon Cabul, even if Jellalabad had fallen, would have been unsuccessful, yet certainly in that case the difficulties of that advance would have been so much increased, that it might have become too hazardous for a Government to direct. And when he spoke of those whom the Governor-general had justly described as the "illustrious garrison of Jellalabad," let their Lordships not forget that gallant officer whose name had been mentioned by the noble Duke, and who had fallen in its defence. He alluded to Colonel Dennie. That officer was the life and soul of the garrison, and of the army; and General Sale, in describing his successful resistance, dwelt on the noble conduct of Colonel Dennie in the most affectionate terms which could be used of his brother soldier, and the Governor-general had truly said, in alluding to his death, that "the success of that day would have left nothing to be desired had he survived." He had been principally led to mention this matter by a circumstance which the other day had occurred to him, and to which he could not help for a moment adverting. It had become his duty, within a very few days, in the name of the Governor-general of India, to transmit to the aged mother of Colonel Dennie the medal of honour which, had he survived, he would have been so well entitled to wear. In desiring him to communicate to Lord Ellenborough the expression of the deep feeling with reference to the tribute paid to her gallant son, the letter of Mrs. Dennie stated,—

> "That she received the medal with pleasure and with pride—that she had a right to feel a pride in her son's life, and also in his death"

Expressions which, he was certain, would find a responsive chord in every breast. There were many points on which he would wish to touch, respecting part of Lord Ellenborough's instructions, which he thought reflected on him the highest honour. Indeed, he thought it impossible to read his first instructions, dated upon the 15th of March, so comprehensive and detailed, glancing at and anticipating all the adverse circumstances which might arise, without being sensible of the high merit of that despatch. There were other points in these instructions, connected with the important subject of the liberation of the prisoners, with respect to which he could have wished to do justice to the Governor-general's motives; but he was desirous to follow the course so generally adopted by their Lordships, and avoid saying anything which could disturb the unanimity so happily exhibited. He would, therefore, in conclusion, merely thank the House for the attention with which they had listened to his remarks.

The Marquess of *Clanricarde* did not rise with any purpose of disturbing the general unanimity displayed by their Lordships upon the present occasion—he would be most unwilling to offer anything which could have the effect of taking away or impairing that spirit of unanimity, especially when the vote before the House was asked by such high authority as that of the noble Duke opposite. Under the present circumstances, however, he felt himself in rather an embarrassing position, and he considered it to be his duty not to give a silent vote, but to touch slightly upon one or two topics connected with the subject before the House, but in doing so he could assure their Lordships that he would introduce nothing that could be considered as of a political nature. As some parts of the political conduct of Lord Ellenborough would undoubtedly be very soon brought before the notice of the House, he felt that at present it would be improper very particularly to allude to it. He should therefore confine himself to the matter contained in the book upon their Lordships' Table, upon the contents of which they were desired to found their vote. He would for the present say nothing of the phrase of the "extreme caution" of the Governor-general, which had been already used in the discussion; but when the noble Duke opposite had come to that portion of the subject with reference to which that phrase had been applied, that is, to the period at which Lord Ellenborough had assumed the reins of office in India, he had referred to the despatch dated the 15th of March as expressing the views of the noble Lord the Governor-general, on the situation of affairs at that juncture, and the noble Duke had expressed his approbation of that paper, stating that he considered that if the troops and prisoners were safely got out of Affghanistan, that would be for a time all that could be desired or expected. Now he did not find fault with that language, although it was much moderated from the tone of the language held in Parliament upon the impulse of those feelings which were produced by the first news of our reverses; but what he did find fault with was, that the paper under discussion did not make it a distinct condition of the cessation of hostilities that the prisoners should be restored to us; and although an anxious desire was expressed for the restitution of the prisoners, the evacuation of the country and the cessation of hostilities were not stated to depend upon that contingency. He would read the passage he specially alluded to:—

> "To effect the release of the prisoners taken at Cabul, is an object likewise deeply interesting in point of feeling and of honour. That object can, probably, only be accomplished by taking hostages from such part of the country as may be in, or may come into, our possession; and, with reference to this object, and to that of the relief of Ghuznee, it may possibly become a question, in the event of Major-General Pollock's effecting a junction with Sir Robert Sale, whether the united force shall return to the country below the Khyber Pass, or take a forward position near Jellalabad, or even advance to Cabul."

The despatch said, "It may become a question!" but he asked whether there were a man in England, when he heard of the situation of the prisoners, who would for one moment consent to allow such a matter to become a question of doubt? The order for the evacuation of Jellalabad and falling back towards the Indus, was given unconditionally, with one exception, namely, the state of the negotiations affecting the prisoners; but, then, General Sale was distinctly ordered not to remain, unless the prisoners were close upon his camp. The Governor-general never seemed to consider, that if these prisoners were to be allowed to remain, that it would be necessary for us ultimately to advance troops into the country. In one of the despatches addressed to Sir Jasper Nicholls, the noble Lord seemed to contemplate the evacuation of Affghanistan as completed. In that despatch it was stated,—

> "It will, however, likewise be for consideration, whether our troops, having been redeemed from the state of peril in which they have been placed in Affghanistan, and it may still be hoped, not without the infliction of some severe blow upon the Affghan army, it would be justifiable again to push them for no other object than that of revenging our losses, and of re-establishing, in all its original brilliancy, our military character."

He did not mean to say that Lord Ellenborough was not anxious for the safety and escape of the prisoners; but the tone of his correspondence did not coincide with the feelings with respect to the prisoners generally entertained in this country. Their Lordships would recollect that when the news of the capture of our countrymen and women reached this country, that Sir Robert Peel declared, amid the cheers of the House of Commons, that, at any cost, our military character must be re-established, and that the prisoners must never be deserted. They would remember, too, that in the imposition of the income-tax it was urged on the feelings of the country that if the prisoners in Affghanistan were not relieved, it would be necessary to despatch an army to their rescue. Now he did insist upon it that the tone of Lord Ellenborough's despatches was not the tone generally prevalent throughout the country. The first object kept in view by the Governor-general was to get the troops withdrawn from Affghanistan, but he could not agree with the statement which had been made that he had mixed himself up with and become responsible for the advance upon Cabul. In his despatches General Nott complained of his movements having been delayed by the Governor-General. In a despatch dated May 21, he thus alluded to the orders of Lord Ellenborough:—

> "Before the receipt of your letter of the 19th of April, I had equipped this force, which,

with two additional regiments of infantry, another troop of horse artillery, and the remainder of the Shah's 1st cavalry, I had intended to march in command of for the purpose of throwing supplies into Khelat-i-Ghilzie, and endeavouring to recover the late Ghuznee garrison now in the hands of the enemy, and making a diversion in favour of General Pollock's army."

It thus appeared that General Nott distinctly complained that he had been stopped by the orders of the Governor-general. He was released from the order, just referred to by the subsequent order of the 4th of July, received on the 21st of that month, and he immediately began that advance which had led to the brilliant successes they had to rejoice at. He thought that it was quite impossible for any man to read the despatches contained in the book before the House, without being deeply impressed with the merits of the officers and men in general; but although it might be deemed invidious, under such circumstances, to single out particular persons, he could not refrain from specially alluding to the exploits of General Nott. With respect to the paper of July 4, alluded to by the noble Duke, he could not coincide with the character given by the noble Duke to that despatch. The noble Duke had stated that he considered that despatch as being the very handsomest instruction ever addressed to an officer. Now for his part—in his humble comprehension—that paper, as he believed, gave permission to Nott to advance, but he really could not see what there was in the order referred to justify the term instruction by which it had been characterised. He should say, that to any person considering that despatch, according to the plain reading of the terms in which it was couched, it would appear to give permission to advance, but instruction to retire. Throughout every line, the disadvantages likely to attend a forward movement were put forward in the strongest way, but not one word of encouragement did the paper breathe to the officer and troops about to undertake the march. That, however, he was told was the great merit of the document, but really he could not see it. Their Lordships were called upon to confer a vote of thanks upon the noble Lord the Governor-general of India; but if they were called upon to thank Lord Ellenborough for anything else than sending supplies to the army, he should say that they were thanking him for successes which had been achieved contrary to his opinions and orders. He might read this despatch wrong; but he could only say that in reading it in a common simple way, he defied any man, if General Nott had failed in his advance, to attribute any blame to Lord Ellenborough: and if no blame could attach to him in case of failure, surely no merit should accrue to him from success. But he had really meant not to have said so much on the subject, and would not have done so, but for the remarks upon his noble Friend, who had stated that the phrase "extreme caution" was the term which could be applied to Lord Ellenborough's conduct. The Governor-general seemed to have adopted the notion that the prisoners were only to be recovered by means of the hostages that might be taken. His instructions to General Pollock were to make incursions for the purpose of making prisoners. The advance to Cabul seemed never to have been contemplated by Lord Ellenborough. It so happened, however, that there were two things which the Governor-general had absolutely prohibited—first, the advance; and then that the prisoners should not be ransomed. He had given strict orders that they should not be ransomed, and yet it so happened that the army did advance, and that the prisoners were ransomed. [The Duke of *Wellington:* No, no.] The prisoners had agreed to bribe the man, in whose charge they were to allow them to be restored. They agreed to pay a certain sum of money to the man in whose custody they were. That certain sum of money was to be paid. [Lord *Fitzgerald:* Not by the Government.] Then, if the Government would not pay that sum, the individuals who had agreed to pay their ransom would pay it. That was distinctly stated. General Pollock said that he was extremely sorry to have received such positive orders with respect to the ransom, because there were nineteen men of the 44th in his neighbourhood who could be recovered for twelve hundred rupees. They were worth the money to fight at the time. However, their Lordships would see that the Governor-general was decidedly against the ransom of the prisoners, as it was against the usages of civilized nations to make prisoners of women and children; but they would be at a great disadvantage if they were for strictly adhering to the usages of civilized nations when they were fighting against barbarians—against those who were uncivilized. He thought it must be the most disheartening thing possible to troops engaged in such a service, if they to be told, that so much punctilio would be used, when the question was which was the speediest and the best way of getting them back out of the hands of barbarians. But he wished now to see if, in all the transactions in the late war, the usages of civilized nations had been adhered to. And coming to this, he said it was the only point further with which he should trouble their Lordships. It was a point upon which he considered he could not give unconditional praise to the troops, until he had better information respecting it. What he referred to now was certain transactions said to have taken place upon the retreat of the army. He did not know whether the transactions had actually occurred, which were said to have taken place after the capture of Istalif. He was not much disposed to criticise the conduct of soldiers after a most gallant and desperately contested action—when, too, a town was taken, which was found full of the spoils of their fellow-countrymen; he should say nothing upon that but other transactions were said to have taken place elsewhere which were abhorrent to the practices and usages of civilized nations. He did not mean now to say anything about the taking away of the gates of Somnauth, nor the ornaments of its pillars. It might be that the Governor-general considered them as just and proper trophies. Upon that subject he did not mean to say anything further at present. But he found General Pollock giving an account of the destruction of the bazaar at Cabul previous to the troops evacuating the city, and it might be well said that such must have been the act of barbarians and not of British soldiers—not of the soldiers of those who lived by commerce—of the soldiers of the greatest commercial people in the world. But was it to be said that this should be done by troops that were immediately under the command of the greatest commercial company that ever existed, and that they should destroy a building, which according to the description of General Pollock, was used as the great emporium of central Asia? Was, he asked, the destruction of such a place an act that was in accordance with what ought to be the practice of civilized nations? And then as to the mosque which was destroyed, it appeared that it was repaired and decorated, and fame attached to it, in consequence of the atrocious destruction of our troops. If they considered that it was devoted to such a purpose, it was, perhaps, an excuse for the lower order of men that they had destroyed it, but such an excess he did not think ought to have been sanctioned by persons of high rank and station. They ought rather to have called to mind that monument, of which their Lordships were all aware, erected near Coblentz, and which was intended as a commemoration of a great victory of the French. When the Russian general came to Coblentz in 1813, and saw this memorial, he did not then, flushed with victory, destroy it, but he marked it with the date of his success, and left it thus a commemoration of his own victory, as well as that of his enemies. There would, however, be another opportunity of referring to the political matters connected with this subject. As far, however, as the present vote extended, he would say, concientiously and sincerely, that he joined in that vote to the Governor-general for applying the resources at his disposal in aid of the operations that had been carried on, but at the same time he must say, that he did not find that the Governor-general was entitled to their commendation for instructing or originating the advance upon Cabul. Thus far, he gave his vote most heartily and conscientiously in favour of the motion.

Lord *Brougham:* My Lords, I should certainly feel disposed to give my silent vote with my hearty concurrence in the motion of my noble Friend, supported as it has been by my noble Friend the late Governor-general, and my other noble Friends who followed him, without doing more, had I not felt that in the present posture of India, in a debate which has, perhaps unexpectedly—I will not say, unnecessarily—arisen, and in the somewhat new phase which the debate has thus assumed, it is incumbent upon me to discharge a duty to the character and conduct of the army in India, and to the memory of those who are unhappily now no more; and although in a good measure this latter duty, this pious office, has been discharged, and eloquently discharged by my noble Friend, and though all your Lordships who have already spoken have discharged in part the same duty toward the present Governor-general, yet I think I may be permitted, without any hypercritical scanning of expressions, such as have fallen from the noble Lords beside me, the two noble Marquesses—without any such criticism, I say, I may be allowed to express my disappointment that they did not rather, as they were determined to support this motion, follow the coure taken by my noble Friend the lae Governor-general of India, and give that hearty support to these resolutions which they must feel they were giving by their votes, and that they did not make their speeches coincide a little more accurately with the resolution to which they say they are prepared to come, and which they recommended your Lordship to adopt with a unanimity unbroken—unbroken as regards the vote, but not so entirely unbroken as regards the speeches by which that vote is supported by one of my noble Friends, though recommended to your Lordships to be unanimously passed by the other. For what is the vote which they are both going conscientiously to give, and which they recommend your Lordships to pass so unanimously, that it would be to them the most grievous of all disappointments if there were a single dissentient? I had occasion to look at the terms of this motion in consequence of their speeches, and I find that it is neither more nor less than a substantive vote of thanks to the right hon. Lord Ellenborough, severed from the generals and officers, and men, who are the subjects of another vote; not lumping him with them or harnessing them together in such wise that they could not make the distinction, and vote against him without blaming all the rest, or that they could not praise them without withholding praise from him. There are several votes, in point of fact, of one of which only does his Lordship form the subject, and what does that say? For what are the thanks of this House to be given to the right hon. Lord Ellenborough by name? "For the ability and judgment," the resolution says — [The Marquess of *Lansdowne*, "Hear, hear."] "with which, the resources of the British empire in India have been applied to the support of the military operations in Affghanistan." Therefore, I conclude, my noble Friends justly believe that whatever may be said of the ability, the judgment at least is referred to and will be praised by this vote; and that judgment cannot be eulogised in this vote truly and justly if the Governor-general showed indiscretion either in advancing when he ought to have stood still, or in standing when he ought to have retreated or in retreating when he ought to have remained steady or to have advanced forward; or what, perhaps, tests the soundness of judgment more than either advancing when he should go on or withdrawing when he should retire—namely, the not having hesitated when he ought to be firm, the not having faltered when he ought to be steady in his purpose—the not being, in one word, that which seems, perhaps in itself, all that a bad, an infirm judgment can possess—that of being vacillating and irresolute in the decision which he formed. Therefore I have the admission of my noble Friends behind me in praise of my Lord Ellenborough, the Governor-general, for the judgment, as well as ability, of his conduct; I have their distinct approval of his judgment, and the confession that if there is any one quality which he did not show in India, it is vacillation and indetermination, and irresolution, and infirmity of purpose. Now, my Lords, I have said that there is something in the language of my noble Friend, the first noble Marquess who addressed you, which I did not think altogether consistent, deprecating "an extreme caution" in the proceedings of the Governor-general. Could any caution be too great in his position? How did he stand? How fearful to contemplate was the position in which Lord Ellenborough found him self placed the instant that he ascended the chair of the East-Indian Government. I know what his feeling and judgment on that question were. I purposely abstain from any allusion to the origin of the war, in our opinions upon the origin of that war my noble Friend opposite (the Duke of Wellington) and I heartily concur; but, evading all political references, if any man ever went to India with the impression on his mind that the policy —it might be the right and justifiable policy—of his predecessors, here and there, had placed him who was to succeed to the Government of India in a situation of all but unexampled difficulty, and from which to extricate the empire entrusted to his hands must be all but a hopeless task, Lord Ellenborough was that man, and with these feelings often expressed in this place, and a sense of the load imposed upon him, he left this country. Had matters mended on his arrival at Calcutta? Were the reflections which must have haunted him on his voyage, and might have haunted the man of the firmest mind that ever went out to govern that country—were those feelings and alarms diminished when he got to India by the melancholy and most distressing events which had happened between his sailing and arrival, and with the tidings of which he must have been greeted the instant he reached the Bay of Bengal? My Lords, the Cabul disaster—the destruction of one of the largest armies that this country had ever sent to the north—the almost shaking of the Government of the country at home which he was sent to administer in the East—that was the intelligence which reached Lord Ellenborough on his arrival. If he had hesitated for the purpose of reflection and taking counsel, and had wished for further time, no man could have been surprised, or could have blamed him. "Extreme caution!" Indeed! I ask again, in these circumstances and conditions could any caution be deemed extreme? My noble Friend was cautious; he did reflect. Did he hesitate? As my noble Friend, the noble Duke has stated, he arrived on the 28th of February; on the 15th of March he issues his first order. My noble Friend behind me (the Marquess of Clanricarde) will not quarrel with me if I say that this was "an instruction," I suppose. I will read from the despatches of the 15th a passage which my noble Friend omitted to read. He read from the page 168; I shall read from page 167, in which Lord Ellenborough had, within a few days of his arrival in that situation, surrounded by those difficulties, made up his mind to this:—

> "Whatever course we may hereafter take must rest solely upon military considerations;"

And this is addressed to the military officer; and I may observe in passing, I entirely concur with my noble Friend, the noble Duke (it is a vanity to say one concurs with him who, as has been said to-night, is the highest of all authorities) as to what instructions a Governor in India ought to give a commanding officer in India, for he led on the army in India—led it on to those triumphs, the first of his great triumphs, and under the orders of a Governor-general not apt to vacillate—a Governor-general whose name will go down to posterity as one of the greatest statesmen who ever adorned and built up the power and glory of the country which had the happiness to produce him; under that great statesman my noble Friend acted in the command of the forces, and he knows in what way a wise and prudent and noble-minded Governor will always show his sense, as well as his justice to the officers serving under him, by giving ample powers, not scrupulously, but liberally and generously, to those whom he employs, and it is to the praise of Lord Ellenborough that such has been his uniform conduct in the whole of these transactions. Acting on this principle, which I know was Lord Wellesley's, to be cautious, to be prudent, to take time, to go even to the "extreme of caution," as my noble Friend says, in choosing his agents, military or civil, as is always proper, and having once made your choice never more to scruple in giving your entire and unstinted and unabated confidence—so did Lord Ellenborough—and then he said,—

> "Whatever course we may hereafter take must rest solely upon military considerations, and have in the first instance regard to the safety of the detached bodies of our troops at Jellalabad, at Ghuznee, at Khelat-i-Ghilzie, and Candahar, to the security of our troops now in the field from all unnecessary risks, and finally to the re-establishment of our military reputation, by the infliction of some signal and decisive blow upon the Affghans, which may make it appear to them, to our own subjects, and to our own allies, that we have the power of inflicting punishment upon those who commit atrocities and violate their fate, and that we withdraw ultimately from Affghanistan, not from any deficiency of means to maintain our position, but because we are satisfied that the king we have set up has not, as we were erroneously led to imagine, the support of the nation over which he has been placed."

That was what Lord Ellenborough decided. He resolved on withdrawing ultimately from Affghanistan, but it was not by flying—it was not by a rapid retreat, not from any deficiency of means to maintain our position; but because we are satisfied that the thing we have set up, has not, as we were erroneously led to imagine, the support of the nation over which he has been placed. But then going to the next page, my noble Friend insisted that there was "extreme caution," but my noble Friend, as I conceive, has taken an incorrect view as to the release of the prisoners, for the Governor-general said,—

> "To effect the release of the prisoners taken at Cabul, is an object likewise deeply interesting in point of feeling and of honour."

There was here no flying from the country, but having given his opinion, he left the mode of dealing with those matters to the officers whom he trusted. There was no proof of hesitation on his mind; but a proof that he placed confidence in those to whom he trusted the execution of his orders, and it would be found that Lord Ellenborough had acted in the same way throughout. What does Lord Ellenborough say in the seventh paragraph of his letter to General Pollock on his installation?—this is the Governor-general who cares little for the ransom of the prisoners in the hands of the Affghans:—

> "When every prisoner within the reach of the power of the Cabul government shall have been surrendered, then, and not till then, you may give orders suited to a state of return."

Then we are told that we must look to the despatch of the 19th of April. But that despatch was one of a series sent to one of those gallant officers who had received full instructions suited for various emergencies and various events, and accordingly it was not necessary to enter into a subject again and again. He is writing upon another point—on the question of advancing or retreating—and the language he uses is decisive. I maintain that if there were no other papers on the subject except that despatch of the 19th of April, it is absolutely demonstrative of Lord Ellenborough's intentions and instructions to those officers not to retreat, unless in the case of absolute, overruling, overwhelming necessity.

> "It will, however, likewise be for consideration whether our troops having been redeemed from the state of peril in which they had been placed in Affghanistan, and it may still be hoped, not without the infliction of some severe blow upon the Affghan army, it would be justifiable again to push them forward for no other object than that of revenging our losses, and of re-establishing, in all its original brilliancy, our military character."

So that, even in that very despatch in which they were told that the Governor-general intended to fly, and not to regain the honour of the British arms, even there he suggests the infliction of some severe blow on the Affghans by taking possession of an advanced post in Affghanistan. My Lords, my noble Friends here in this House, in their comments on Lord Ellenborough's conduct, have adopted as they did on the subject of the American treaty, a language powerfully contrasted with that which their supporters have been accustomed to adopt in relation to Lord Ellenborough in their comments elsewhere and out of doors. My noble Friends here speak smoothly—speak softly—on the subject. One may say of them as was said by an inspired poet of others, "The words of their mouths are soft as butter, having war in their hearts, their words are smoother than oil, yet be they very swords." But those who elsewhere have dealt with the conduct of the Governor-general show or wage the "war that is in their hearts." They brandish "the very swords," be they more or less sharp—more or less trenchant, with which they are by nature endowed, and be the might with which they wield them more or less potent; but omitting the butter and the oil, they endeavour to inflict as severe a wound as the strength of their arm and the sharpness of their weapons will enable them to deal; and, accordingly, my noble Friend the Governor-general here has only been charged with "an extreme caution," and at the same time with an oily sheathing to even that little sting, this tiny weapon is wrapped up in a disavowal of intention to give pain, and of all idea of imputing blame. Elsewhere there has been no such disavowal, but, on the contrary, instead of "extreme caution," I protest that in three long months of uninterrupted abuse and calumny, no phrase has been used more gentle than the "base," "un-English," "reckless," "dastardly," "cowardly," conduct of the Governor-general. ["Hear."] I speak literally; these were the expressions; the last, the foulest and the coarsest of the whole, being the most frequently repeated, being the most congenial to the nature of those who impotent to all other purpose can but just show the rancour that is in them, like superannuated vipers, which still have their bag of venom, but have lost the perforated tooth through which to squirt it. My Lords, it is no light matter for an officer of the exalted rank and station of my noble Friend Lord Ellenborough, for a person sent to the other side of the globe, and commissioned to administer the affairs of a great empire in a most difficult emergency, it is no light matter, that he should be held up to the contempt, and, I will add, to the execration of his countrymen, as was the Governor-general of India during the the last vacation, upon grounds which the production of this book triumphantly shows to be utterly devoid of all pretence of even the shadow of a shade of foundation. If there be any who think that the Governor-general stands impeached upon the ground of having abandoned the prisoners, of having refused to advance, of having withheld authority, or, if you will, of having "withheld instructions" to the army to struggle until the honour of the British arms was restored, and the prisoners were regained—if there be any who still think even after this mass of evidence that this remains still in doubt, they then, I say, ought to take the course to which my noble Friend who last addressed you, had the manliness to advert—they ought to give their notice, to bring forward the question and have it debated, and not to allow a Governor-general in the service of his country to be held up to European and to Indian, to English as well as to the native powers, as a person whose conduct is not above suspicion, though it may be above and beyond the reach of complaint; they ought to bring that subject forward in the open manly fashion adverted to by my noble Friend, and take the sense of the House upon a debate of the question. I know, my Lords, something has been said about a proclamation, and about a despatch, and I agree with those who lament that the Governor-general in one of those despatches suffered himself for a moment to be led away in alluding to the conduct of his predecessor, which remarks I think he ought to have spared. But that is not what they are harping on and carping at out of doors, and elsewhere; it is at the language, the style of one of my noble Friend's proclamations, that they take for the theme of their unceasing cavils. This language was possibly open to observation, but the style of a proclamation or a speech is a matter of trifling importance. I am looking at the acts and deeds of the Governor-general. If the question in dispute were with respect to a speech on this subject were respecting the excellence of a work as a matter of criticism, or if the question of art, it would then be all very well to speak of language; but I am speaking of the conduct of a great public servant.

> "———Non ego paucis
> Offendar maculis, quas aut incuria fudit,
> Aut humana parum cavit natura."

I say I have nothing to do with his words, his phrases, his sentences; I look at his public conduct. If his acts are right, if his public conduct is unimpeachable, I give him at once my hearty approval, and acquit him of all these charges. Such are the opinions which I have formed on this subject. I think justice to the service of the Crown makes it my imperative duty after what has passed, to say one word on a subject on which my noble Friend last spoke. I confess I should like a little more explanation relative to a passage in the retreat of our troops, which has filled me and, I believe, all good Englishmen—all friends of civilization and of humanity with great grief, I might almost say dismay,—I mean the unnecessary cruelties practised on the retreat. The subject is so painful, that I would willingly avoid it altogether. My noble Friend has done justice to the Governor-general, with respect to those reported atrocities; he is perfectly free from blame regarding them; he has no more to do with them than any of your Lordships, or any of the prisoners themselves at Jellalabad. But now, one word as to Colonel Dennie. I rejoiced to hear the panegyric pronounced upon that gallant and defeated officer by my noble Friend. I have seen also with satisfaction the beautiful and eloquent tribute to his memory contained in the Governor-general's despatch. It is painful to me to add that I greatly lament that a gallant officer, whom I lately saw in this place (Lord Keane)—a noble Baron connected with the early stage of these affairs, felt it his duty, one which must have proved most painful to him, to be pronounced some disapproval of the conduct of that gallant officer. The best proof that could be given by the noble and gallant Baron that the conduct of Colonel Dennie was above all blame, was furnished by the candour of the Officer himself when he selected him to conduct the storming party at Ghuznee, the capture of which was the origin of those great and singular honours which he has won. The noble and gallant Baron must have been confident, that he was an officer deserving in every way, or he would not have appointed him to a command, on the successful conduct of which the very existence of the army depended. But I have another proof besides the noble Lord, the late Commander-in-Chief in Northern India. I have the testimony of my noble Friend the late Governor-general, who in one of the papers now on your Lordships' Table not only pronounces a warm panegyric upon the late Colonel Dennie, but also expresses his high approbation of the selection made of that gallant officer, stating that he was an officer of the most distinguished merit. These circumstances make the melancholy event more deeply to be lamented, which has deprived the country of Colonel Dennie's services, and him the delight of surviving to the period of that victory to which in the early stage of the war he had himself so greatly contributed. I hope what I have now stated, added to the much more powerful expressions used by my noble Friend the noble Duke opposite, may tend to soothe the anguish of the surviving relatives of that lamented officer. As to myself, I had and have no knowledge of him or of his family; and, indeed, I was not even aware of his existence until I saw his name mentioned in the orders of the Governor-general, and was referred to the works of three officers, who had served in the Affghan war, in which his conduct was treated with most honourable mention. I heartily agree in the motion which has to-night been submitted to your Lordships by my noble Friend, the noble Duke opposite. I cordially unite with those who call for unanimity in the approval of that motion, and I can only hope that, in giving expression to these opinions, I have confined myself most strictly to the military operations under consideration. I have given no opinion as to the origin of the war—I give no opinion as to the policy of any part of the Governor-general's conduct — that is not now a question before your Lordships; but, confining my observations to the conduct of the Governor-general of India in connexion with the military operations, I join heartily in the expression of approbation and thanks to the Governor-general—to the officers by whom those operations were conducted; and I offer my thanks to Providence for having vouchsafed to relieve our armies of the great, though temporary, stain that was upon them, our councils of a most grievous embarrassment, and our Indian empire from the peril which at one moment appeared almost greater than the unaided efforts of man could have sufficed to overcome.

The Marquess of *Lansdowne*: The noble and learned Lord who has just sat down has dwelt upon one expression of mine upon which to found a most unworthy charge against me, of supporting the motion before your Lordships by my vote, while I have done not so by my speech. Being conscious that I did not utter one word in that speech which would be inconsistent with the vote it is my intention to give. I trust to the recollection of the House to show that my noble and learned Friend has most grossly, though not intentionally, misrepresented me. It was not necessary for me to make this explanation after the speech of the noble Lord the President of the Board of Control, who adverted to the same expression as used by me, because that noble Lord, with a candour which my noble and learned Friend did not think it necessary to imitate, at the same time that he adverted to it, referred also to the particular qualification with which that expression was used. In stating my reasons for supporting a motion expressive of approbation of the ability and judgment with which the Governor-general of India had applied the resources of the country to the operations of her Majesty's army, I adverted to the fact that the vote was not one thanking the Governor-general for "the direction" of those operations. That expression is not to be found in the motion —it is omitted from the vote, and the observations of my noble and learned Friend have made it necessary for me to call the attention of your Lordships to that subject. After stating my reasons for approving the exertions of the noble Lord the Governor-general of India, I observed that I attributed greater merit to the commanders of the army in consequence of the extreme caution which the Governor-general had exhibited, adding that I did not condemn that caution, but on the contrary, I thought great caution was, under the circumstances commendable. My noble and learned Friend seems not to have heard all that fell from me, but what I did say was merely for the purpose of exhibiting to your Lordships the responsibility thrown by that extent of caution upon those gallant officers, and the increased merit of those officers for taking that responsibilty upon themselves. Now, I stated that from a passage in the book which is before me now, but which I did not read to your Lordships. It is a document in which the Governor-general, in the exercise of that caution which I repeat I do not condemn, writing to Major-general Nott, directs him on no account to undertake any operations of a hazardous nature against Ghuznee or Cabul, thereby putting upon General Nott whether or not he would venture upon those operations. Now, I beg to ask, was not that extreme, though passibly justifiable caution on the part of the Governor-general—does it not increase the merit of General Nott, that though cautioned again and again, no less than five times in one page of the book before your Lordships, he did not hesitate to engage in that perilous march of 300 miles —that he did not hesitate to take the responsibility of destroying Ghuznee and of advancing to Cabul, where General Pollock met him, that gallant officer also advancing on his own responsibility? Now, I say to my noble and learned Friend, that unless he is prepared to refuse to these two gallant officers the merit of so advancing upon their own responsibilty, he cannot blame me for pointing out the circumstance to your Lordships that this responsibility had been thrown upon them—not once, but two or three times—by the Governor-general—a responsibility which, I say, was justly and fortunately thrown upon them in consequence of the courage, zeal, and intrepidity which they exhibited. So much for explanation. I will not follow my noble and learned Friend into the contests of newspapers, of which I know nothing, nor will I enter into a discussion with him upon the Ameriean treaty, which is a subject not now before the House. "Sufficient for the day is the evil thereof;" and your Lordships shall not hear me speak on all subjects when only one question is under consideration.

Lord *Brougham* said, he certainly did not hear his noble Friend accompany his use of the words "extreme caution" with the observations he had just offered in explanation tothe House. His noble Friend had made, as was to be expected from him, an excellent and candid explanation, with which he entirely concurred. It turned out that his noble Friend's reason for using the words "extreme caution" was not to throw any kind of blame upon the Governor-general; it was not "to hint a fault and hesitate dislike;" it was not "to damn with faint praise;" but his noble Friend had, it seemed, used the expression—not in odium of the Governor-general, but praise of the officers by whom the military operations were conducted. In short, his noble Friend's only reason for making use of the words "extreme caution" was not for the purpose of throwing anything like doubt upon the conduct of Lord Ellenborough, but to express more strongly his commendation of the gallant officers. It was a convenient rule, however, which it was well to practice, that when you wished to bestow praise upon any person, it should be conveyed in express terms, and not at the expense of imputing, however indirectly, blame to another. That "comparisons were odious" was a common rule of prudence and good sense. If his mind had not been preoccupied by the constant attacks upon his noble and absent Friend, he should doubtless have comprehended the whole of the noble Marquess's remarks, but when he heard the words "extreme caution," it was impossible for him to disunite them from the attacks in which the words "base, dastardly, and cowardly," had been so lavishly used. He, however, was not sorry that he had misunderstood his noble Friend, as it had led to an explanation which others like himself, might require.

Lord *Fitzgerald* and *Vesey* was understood to say, with reference to the terms of the present motion, they were the same as had been adopted by this and the other House of Parliament on the occasion of thanks being voted to the late Governor-general.

The Bishop of *Salisbury* said, it was not his intention to say one word to detract from those great and glorious successes which had been followed by that most blessed of all things—a glorious peace, or to prevent the authors of those successes from receiving the unanimous thanks of their Lordships' House. He could not have said a single word on the present occasion, but for some expressions which had fallen from the noble and learned Lord opposite (Lord Brougham), rather in the heat of an animated defence of an absent Friend, than that they were the result of the noble and learned Lord's cool and deliberate judgment. He should not now go into the subject-matter to which the noble Lord had alluded, as his only object in rising was to guard himself and their Lordships, and in justice to those Christian feelings which he was sure pervaded all their breasts, from being supposed to assent to the terms in which the noble and learned Lord had thought fit to speak of a proclamation which was not now before the House. Certainly, he differed widely from the terms and manner in which the noble and learned Lord had spoken of that proclamation; he, however, would not speak of it now as he thought it deserved, inasmuch as the question now before their Lordships was confined to the expression of thanks to the Governor-general and the army. Thus much it would not, he hoped, be thought unbecoming him to say,—that if ever that proclamation should become the subject of discussion in this House, he was sure it would be deemed by their Lordships generally, as it was already elsewhere, a most unhappy accompaniment to these successes.

The Bishop of *Chichester* briefly expressed his entire concurrence in the observations which had fallen from the right rev. Prelate.

Lord *Brougham* said, that in vindication of his noble and absent Friend against the attack of the two right rev. Prelates, and in reply to the great clamour, he ought to say clatter, which had been made about the proclamation in question, he must observe, that his noble Friend the Governor-general, than whom there was no more pious and sincere Christian, never dreamed of showing any preference of any heathen religion, for Hindoo over Mahometan, or for the Juggernaut, or any other heathen idols. The proclamation was a political matter merely, and though he had, at first, been led away by the clamour which had been raised about the proclamation, he could say, that if the right rev. Prelates should think it right or becoming their station to bring the matter before the House, he would demonstrate to the satisfaction of every calm and dispassionate inquirer that the words did not and could not bear the construction which had been put upon them. He had lately read by accident this document ; the other he had only seen at second hand.

The Earl of *Minto* said, the extension which in the course of this discussion had been given to the proposed vote of thanks compelled him to address to the House a few words in explanation of the grounds on which he should be induced to refrain from offering any opposition to that vote. He understood the vote to express their Lordships' sense of the talent, ability, and judgment with which the Governor-general had applied the resources of the Indian empire in aid of the military operations in that country; and he did not understand that it was intended to be implied that those operations had been originated, directed, or conducted by Lord Ellenborough. On looking at the mass of papers before the House, he found that if the wishes of that noble Lord had been carried into effect, the House would not now have been called upon to vote any thanks either to the Governor-general or to the army, because it was quite clear, if it had been possible to execute the orders he gave, every man would have been withdrawn from Affghanistan before any attempt had been made to recover the honour of the British arms or the prisoners in that country. He denied also that the terms of the present motion were precisely the same as those used on the occasion of the thanks voted by Parliament to his noble Friend Lord Auckland, for on that vote the words "under his direction" appeared. What he principally rose to do, however, was to guard himself from being supposed to participate in that more extensive construction of the vote which had been suggested in the course of this discussion. There was, he confessed, another difficulty which weighed considerably on his mind in considering the case. He thought this proposition unprecedented. The thanks of Parliament were one of the greatest honours that could be conferred upon a public servant, and in this case he felt it was lowering the character of the votes hitherto given, and that it was somewhat a prostitution of that honour. It was unprecedented, because he was not aware that thanks had ever before been given to any Governor-general of India, except for services of which he was either the originator or the conductor. Such had been the case in the instance of the Marquess Wellesley—such had been the case in the instance of his noble Friend behind him and such, also, had been the case in the instance of the conquest of the island of Java. The utmost latitude, therefore, that he could consent to give to the motion was to join in the expression of the satisfaction felt in the talent, ability, and judgment with which the Governor-general had applied the resources of the Indian empire to the military operations in that country.

The resolutions were then put *seriatim* from the Woolsack, and declared to be carried *nemine dissentiente*.

It was then resolved, that the said resolutions be transmitted by the Lord Chancellor to the Governor-general of India and that his Lordship be requested to communicate the same to the several officers referred to therein.

The House adjourned at 20 minutes past 9 o'clock.

HOUSE OF COMMONS,

Monday, February 20, 1843.

MINUTES.] NEW MEMBERS SWORN.—Sir Samuel Thomas Spry, for Bodmin.

BILLS. *Public.*—1°. Law of Evidence; Registration of Voters; Coal Vendors Penalties; Turnpike Roads.

2°. Sudbury Disfranchisement; Coroner's Inquests.

Reported.—Transported Convicts.

Private.—2°. Cambrian Iron and Spelter Company; Lancaster and Preston Junction Railway; London Cemetery.

PETITIONS PRESENTED. By Dr. Bowring, from Burnley, Holme, and from George Tinker, for the Repeal of the Corn-laws.—By Mr. C. Bruce, from Fordel Collieries (Fifeshire), Auchenbowie Colliery (Stirling), Aberdour, Wellwood Colliery (Fifeshire), Townhill Colliery (near Dunfermline), Shott's Iron Works, Earl of Elgin's Collieries (Fifeshire), and Carron Hall and Kinnaird, for the Repeal of the Mines and Collieries Act.—From the Owners of Vessels in the Coal Trade, to be relieved from Penalties incurred by them.—By Mr. T. S. Duncombe, from Workmen of Lancashire, Cheshire, and Derbyshire, for Relief, and for the Repeal of the Corn-laws.—By Sir R. H. Inglis, and Messrs. Miles, and Stafford O'Brien, from Denbigh, Llangadwaladr, Wrexham, Llangwyfan, Trefdraeth, Shepton Mallet, Bath, Llanarmon, Oundle, and Castlemartin, against the Union of the Sees of St. Asaph and Bangor.—By Mr. Ross, from Belfast, against Emigration from Africa to the West Indies; also against the Article in the American Treaty relative to giving up Felons.—By Sir R. H. Inglis, from Shepton Mallet, and Milton Clevedon, for Church Extension.

CHURCH OF SCOTLAND.] Sir *A. L. Hay* said, he wished to put a question to the right hon. Baronet, the Secretary for the Home Department. He had not given notice of his intention to put the question; but he had no doubt that the right hon. Baronet was perfectly prepared to give an answer to it one way or the other. He wished to know whether it was the intention of her Majesty's Government to propose, during the present Session, any measure for the purpose of settling the unfortunate differences which had arisen in the Church of Scotland?

Sir *J. Graham* said, the hon. Gentleman had not been so obliging as to give him notice of the question he had just put, but his hon. Friend, the Member for Argyleshire, had been more obliging, and had notified to him his intention of asking the very question just put to him by the hon. Member. His hon. Friend would propose the question on Thursday next, and on that day he should give an answer to it.

Sir *A. L. Hay* considered that the conduct of the right hon. Baronet had been very discourteous. As a Member of that House.

The *Speaker* informed the hon. Member that he was not in order.

TEMPERANCE SOCIETY AT DUNGANNON.] Mr. *Roebuck* wished to ask the noble Lord, the Secretary for Ireland, a question respecting a transaction which occurred in Ireland in November last. On the 1st of November the Temperance Society of Dungannon was about to hold a festival, and sent to the Monaghan Temperance Society, asking them to come in procession to Dungannon, with their band, which they did. They marched towards Dungannon, and were met by Lord Northland and another magistrate, who violently interrupted them, and, by their orders, two persons were taken into custody and imprisoned. They, in consequence, afterwards brought actions against the noble Lord, which were compounded: 10*l.* were paid in order to buy them off. The question he had to ask was, whether these circumstances had been inquired into by the Irish Government, and, if on inquiry, they had been found to be correct, whether the name of his Lordship had been struck off the list of the commission of the peace?

Lord *Eliot* said, that the subject had been inquired into by her Majesty's Government; and, from that inquiry, it appeared that the magistrates had received information that the Temperance Society of Monaghan were about to enter Dungannon in procession. They had also been informed that the inhabitants of a neighbouring district, chiefly composed of Protestants, were determined to oppose the entry of the procession. It, therefore, appeared to them, to be imperatively necessary to prevent an array of this kind in the town, from which there was every reason to apprehend a breach of the peace. Accordingly they went out on horseback, accompanied by a small party of the constabulary force—he believed about a dozen. Most hon. Gentlemen were aware that the temperance societies were almost exclusively, or at least chiefly, composed of Roman Catholics, [Mr. *H. Grattan*: No,] while the inhabitants of Dungannon were for the most part Protestants, in fact, they were what might, some years ago, have been called Orangemen. Under these circumstances, the magistrates thought it right to prevent the procession. They met it on the road, preceded by a band of music, and accompanied by banners. The magistrates called upon them to halt, and represented to them that their conduct would be likely to create a breach of the peace, and desired them not to enter the town. One of them struck the horse of Lord Northland, and another of them made use of violent and threatening language. The magistrate took these two persons into custody, sent them to gaol, and then wrote out their commitment. In doing this they had not acted in a strictly legal manner. With the impression on their minds that the procession would, in all likelihood, lead to a breach of the peace, the magistrates would have been perfectly justified in placing them in custody without a warrant; but the commitments did not state that they had been guilty of a breach of the peace, but of striking the magistrate's horse, and of using insolent language. To show the intention of the magistrates, he would mention that before they had been in confinement half an hour the magistrates had offered to release them on their finding security to keep the peace for twenty-four hours. This they refused to do, and remained in custody till the next day. The magistrates fearing some disturbances, sent, by the advice of the chief of the police, for the military. A detachment arrived, and was stationed at the house of the secretary of the Temperance Association, who was also secretary to the Repeal Association, and therefore particularly obnoxious to the inhabitants of Dungannon, for its protection, and so effectually did they protect the property of this person, that, with the exception of a window being broken, no damage had been done. The peace had been preserved, and no collision had taken place. The Government was bound to look at the animus and intention of the magistrates. He might question whether the magistrates had exercised a sound discretion; but, under all circumstances, the Government were of opinion, that so far from deserving reprehension, their conduct had entitled them to approbation.

Church of Scotland.] Sir *A. Leith Hay* begged to give notice to the right hon. Baronet (Sir J. Graham) that he should to-morrow repeat his question as to whether the Government intended to introduce any measure into Parliament on the subject of the Church of Scotland.

Sir *James Graham* had certainly deemed the hon. and gallant Officer wanting in personal courtesy in not having given him (Sir James Graham) notice of his intention to put a question of importance. The hon. and gallant Officer had now done so; and that there might not be the possibility of suspicion that he (Sir J. Graham) intended to treat the hon. and gallant Member with discourtesy, he begged to say, that on the hon. and gallant Member repeating his question to-morrow, he must repeat the reply he had given to-night, namely, that he could not give an answer till Thursday.

Sir *A. L. Hay* explained that the reason he had not given notice of his intention to put the question was, that as a motion was to be brought under the notice of the Government in another place to-morrow night, he (Sir A. L. Hay) certainly thought that a Secretary of State would have had no hesitation in giving a decided answer.

Paraguay.] Mr. *Ewart* begged to put a question to the right hon. Baronet at the head of the Government. Certain negotiations had been entered into with the Government of Paraguay. Several English merchants had gone into Paraguay, and had entered into negotiations with the Government. He had been given to understand that these negotiations had suddenly ceased, without any cause being assigned. As he considered the subject highly important, he was desirous of knowing whether any measures had been taken for the purpose of opening communications with Paraguay.

Sir *Robert Peel*, who was heard indistinctly in the gallery, we understood to reply, that some time since a British merchant, named Hughes, had applied for the sanction of the Government to go out to Paraguay for the purpose of making inquiry into the state of the country. The answer given at the Foreign-office was, that he must go out on his own responsibility. That gentleman had made an interesting report upon Paraguay, but he believed was not fortunate in his commercial speculations. In January, 1842, application was made to the government of Buenos Ayres to allow a gentleman named Gordon, an *attaché* to the embassy at Rio, to proceed to Paraguay; but they threw difficulties in the way, and eventually declined. Mr. Hughes had given Mr. Gordon some useful information, and the only account that had been received from him was, that he had met with a favourable reception. Since this, however, a merchant at Liverpool had received a letter, saying that Mr. Gordon's mission had been unsuccessful, and he had been expelled the country. The Government, however, had received no confirmation of that report.

Disturbances in the Manufacturing Districts.] Mr. *Ferrand* wished to ask the Secretary of State for the Home Department, whether the Government had made any inquiry into the late outbreaks in the manufacturing districts; and, if so, whether they would lay the evidence before the House; and if they had not caused any inquiry to be made, whether it was their intention to do so?

Sir *J. Graham* said, that part of the

evidence obtained by the Government on the subject, had been already made use of against parties who were now suffering the punishment of the law. The other portions of the evidence still remained to be investigated. True bills had been found upon the evidence against parties who were to take their trial in the course of eight or ten days from the present time, and he (Sir J. Graham) was of opinion that all the circumstances of the case would be brought out on the trial with respect to who were really responsible as to the cause of the disturbances.

Affghan War—Vote of Thanks.] The paragraphs of her Majesty's Speech referring to the events in Affghanistan, having been read, (as in the House of Lords, see ante, p. 892,) Sir *Robert Peel* rose, and spoke as follows:—Sir,—The motion with which I shall conclude the observations I have to make will be in precise conformity with the notice which I gave the other day. It will be that the thanks of the House be given to the Governor-general of India for the ability and judgment with which the resources of the British empire in India have been applied in support of the military operations in Affghanistan; and that the thanks of the House be given to the general officers who immediately conducted those operations, and to the other officers of the army, for the ability, skill, and perseverance displayed by them, and their indefatigable zeal and exertions throughout the late campaign. The motion will also signify our grateful acknowledgments and high approbation of the valour and patient perseverance displayed by the non-commissioned officers and private soldiers, both of the European and native army, during the whole of that campaign, and for their gallant behaviour upon every occasion in which they came into contact with the enemy. I consider all I have to do on the present occasion is to establish the fact that the operations in Affghanistan were of sufficient public importance to warrant me in calling upon the House to support the motion with which I shall conclude, and that the several parties, both civil and military, to whom my motion refers, did perform those services and did exhibit those qualities for which it is proposed that the thanks of the House should be given to them. In conformity with all usage in bringing forward motions of this kind, I shall studiously abstain from any reference to the matters of merely a political nature. I shall not call in question the policy of the original advance into Affghanistan, nor shall I attempt to vindicate upon this occasion the policy of the withdrawal of the troops from it; and if in the course of my address one word shall fall from me which shall have a tendency to provoke a discussion upon merely political grounds, or which shall place the conduct of one person in invidious contrast with that of another, I declare beforehand, that the word so falling from me will be at variance entirely with the intention with which I rise to address the House, and I therefore make for it, if it shall fall from me, this preliminary apology. Sir, I feel great difficulty in addressing the House upon this subject. I feel that no address that could be made to them could weaken the impression which must have been derived from the perusal of this volume. There is something of romantic interest cast over the whole of these operations. There is something in the remoteness of the region—in the wild and savage grandeur of the scenery—in the undisciplined, desperate, and ferocious valour of the enemy, and the deadly precision with which they used the rude implements of war of which they were possessed. There have been such dreadful disasters, partaking rather of the character of phantasma and of hideous dreams than of the reality of life; such brilliant successes; such instances of devotion to the public service; of desperate fidelity in the face of overwhelming numbers. There is again the unhoped-for delivery of the whole of the prisoners, as if a gracious Providence had conduced to "succour and provide for the desolate and oppressed, and show pity upon the prisoner and captive." I say all these things do constitute an interest upon the perusal of these volumes, the details of them written at the time from the scene of action—the hand that had wielded the sword guiding the pen that described them—all these things I say, constitute an interest which can only be weakened by any such address as I can offer to the House upon this occasion. The details of the transactions in question commence with the autumn of 1841. It is necessary, as I am to propose a vote of thanks to the Governor-general of India, Lord Ellenborough, for the ability and judgment with which he prepared the resources of the British empire in support of these operations, that I should state to the House, as clearly as I can. [Lord *Palmerston:* Prepared.] I do not say "prepared," but with which Lord Ellenborough "applied" the resources of the British empire. It is necessary, I say, as I propose that the thanks of this House should be given, where I consider they are most justly due—to the Governor-general of India—that I should recall to the recollection of the House the precise position of affairs when Lord Ellenborough assumed the Government of India up to the end of October, 1841. The aspect of affairs at Cabul was, upon the whole, of a pacific nature. I will try as fairly as I can, in giving an account of the state of affairs, to quote the expressions made use of by the late Governor-general, or by Sir W. M'Naghten in his account relative to the state of affairs in Cabul. The priesthood and chiefs of clans and their military retinue were dissatisfied with the influence exercised by the British Government, but still there was no indication from which there was reason to apprehend either universal discontent, or the hazard of general outbreak or insurrection. So far from it, that the 20th of October had been fixed on by Sir W. M'Naghten as the day on which he should depart from Cabul, handing over his diplomatic functions to Sir A. Burnes, proceeding to Bombay, for the purpose of taking on himself the Civil Government there. About the middle of October, a rebellion broke out against the British authorities, on the part of certain chiefs of the Ghilzie tribes; that rebellion was attributed to two causes; the first is the withholding of certain payments, to which they considered themselves entitled, on account of the keeping open of the passes; that certain allowances, which were made to the Ghilzie chiefs for that purpose, had been in part withheld; secondly, making the Ghilzie chiefs responsible for the robberies that had been committed by the eastern Ghilzies. In consequence of that, in October the passes between Cabul and Gundamuk were seized, and the military communication between Cabul and British India was intercepted. Sir R. Sale was ordered to force the passes. He left Cabul with three regiments—viz., the 13th Queen's Regiment, the 35th, and 37th Native Infantry. The 37th Regiment, which accompanied him part of the way, was subsequently recalled to Cabul. On the 11th November, after experiencing very great obstruction in the passage, Sir R. Sale reached Jellalabad with six days' provisions only, and surrounded, in fact, by all the armed population of the district. On the 7th of November, at Cabul, our countrymen were attacked on every side. I am trying as far as I can in making these preliminary recitals to use the exact expressions, of course, the most accurate, the most fair to all parties, used in reciting them in the volume. Sir Alexander Burnes and his brother were both murdered. At the same time, a district north of Cabul, called Kohistan, broke out into insurrection, and Captain Woodburn, with a party of 108 invalids, who were proceeding from Ghuznee to Cabul, was cut off, and the whole of the party accompanying him were murdered. Accounts also reached Cabul that the disturbances extended to between seventy and eighty miles south of Ghuznee. It became necessary for Lord Auckland, who was then administering the Indian Government when the accounts reached Calcutta of the state of affairs at Cabul, to determine what course it was most consistent with the public interests that he should take. Lord Auckland, writing on the 2nd of December, recommended that a strong force, not less than from 10,000 to 12,000 men, should be ready to be concentrated between the Sutlej and the Jumna, and he also desired that an additional force should be placed in Peshawur, in order to provide for any contingencies that might arise. On the 3rd of December, Lord Auckland, before he heard of the military disasters at Cabul, expressed his opinion. He says—

> "It would be vain to speculate upon the issue of the contest at Cabul; but, in the extreme event of the military possession of that city, and the surrounding territory having been entirely lost, it is not our intention to direct new and extensive operations for the re-establishment of our supremacy throughout Affghanistan."

That was written when Lord Auckland had heard of the first insurrection of the Ghilzies, of the massacre of Sir W. M'Naghten and Sir Alexander Burnes, but not of the disasters which befel the army under General Elphinstone. At this time Sir R. Sale was at Jellalabad, and an attempt was made to relieve Sir R. Sale by a detachment of four regiments under the command of General Wild, who was ordered to force the Khyber Pass, and to rescue, if possible, Sir R. Sale from his position, and to give every aid that such additional force could give. Lord Auckland, on the 19th of February, had heard of the failure of General Wild to force the Khyber Pass, and on the receipt of that intelligence he expresses himself in the following way in respect to our policy in Affghanistan:—

> "Since we have heard of the misfortunes in the Khyber Pass, and have become convinced, that with the difficulties at present opposed to us, and in the actual state of our preparations we could not expect, at least in this year, to maintain a position in the Jellalabad districts for any effective purpose, we have made our directions in regard to withdrawal from Jellalabad clear and positive, and we shall rejoice to learn, that Major-general Pollock will have anticipated these more express orders by confining his efforts to the same object."

That was on the 19th of February. Lord Auckland said, in the same despatch, to show that he was not regardless of the state of the prisoners at Cabul:

> "The painful situation of the officers' families and European and native soldiers, who are prisoners in Affghanistan, engages our most anxious thought, and any measures which we can adopt with fair and honourable prospect of advantage for their comfort or release will be eagerly adopted by us."

On the 2nd of February Lord Auckland had desired that a commanding force should be concentrated at or near Peshawur. It will be remembered, that at this time—at the beginning of February—in addition to the force then supposed to be at Cabul labouring under very great difficulties, there was also the force at Candahar under General Nott. The fortress of Ghuznee was also occupied by a British force, and another fortress (Khelat-i-Ghilzie) was occupied by Captain Craigie and a small detachment. On the 10th of February orders were given by Lord Auckland to General Nott as follows:—

> "Events will, in every probability, have determined your course of proceeding long before the present letter, or any communication founded upon the letters of the 28th and 31st ult., can be in your possession. But he thinks it now right not to omit the chance of distinctly informing you, that it is his desire, that you should, without reference to the terms of the extract of the despatch of the 28th ult., act solely so as may best, in your judgment, secure the paramount object of the safety of the troops placed under your orders, and may uphold, at the same time, the honour of the British arms."

Now, I have stated, as fairly as I can, the position of Lord Auckland, and the orders which he issued—the orders for the withdrawal to Jellalabad, the discretionary order to General Nott, and the assembling of a large force of 10,000 or 12,000 men between the Sutlej and the Jumna, and also the care which he took that the British honour should be maintained, while everything that was possible was to be done to secure the comfort and the safety of the troops. Those were the arrangements made by the late Governor-general previously to his retirement. I now come to the opinion of the commander of the forces upon the then state of affairs. Sir Jasper Nicolls, in his communication of the 24th of January, recites an interview which he had had with Mr. Clerk, who had been our resident at Lahore, a gentleman in the civil service of the Government of India, of the most distinguished ability and the highest order. In the course of the interview Mr. Clerk impressed upon Sir Jasper Nicolls the great advantage of re-establishing the British arms in Affghanistan, and if military operations permitted, to recover possession of Cabul. Sir Jasper Nicolls, however, entertained these opinions at that time with respect to the state of the army:—

> "Admitting the undeniable force of this argument, I am greatly inclined to doubt that we have at present either army or funds sufficient to renew this contest. Money may, perhaps, be obtainable, but soldiers are not, without leaving India bare. Shortly before I left Calcutta, there were at least 33,000 men in our pay in Affghanistan and Scinde, including Schah Soojah's troops, but not the rabble attached to his person. How insufficient that number has been to awe the barbarous, and at first disunited tribes of Affghanistan and Scinde, our numerous conflicts, our late reverses, and our heavy losses fully prove."

I think it is quite clear, then, that the opinion of the late Governor-general and of the commander of the forces was adverse to any advance on Cabul from the side of Jellalabad; that he thought they ought first to release Sir R. Sale from his position, and that he did not contemplate attempting, during that year, the re-establishment of British supremacy in Cabul, at least, not from the side of Jellalabad. And who, Sir, I will ask, is prepared to blame Lord Auckland for the discretion which he then exercised, and the decision to which he then came? It is easy, indeed, for us to be military critics at a small expense, seated in this comfortable chamber, with a full knowledge of all the subsequent events, and rejoicing at present successes—with no responsibility upon us, such as rested on the Governor-general—the responsibility not merely of forcing a passage to Cabul against any enemy that might oppose our army, but first to provide for the interests and the security of the vast empire, the safety of which was entrusted to his care. It was necessary for the Governor-general to look at the indications of hostility on the side of the Burmese empire—on the side of Scinde—and to remember the withdrawal of British troops from India to take part in the operations in China. Recollecting these facts, I am far from blaming Lord Auckland for the view he took of the position of affairs. Before we take upon ourselves to pronounce an opinion adverse to his policy, we must place ourselves in his position, with an army dispirited by reverses—we must have his intimate knowledge of the circumstances; above all we must have his responsibility. Viewing the transactions thus, I must say, I do think Lord Auckland was exempt from blame in contemplating the withdrawal of the troops from Affghanistan. What, too, was the position of the troops at Candahar? I am looking at this question, not with regard to its policy, but in a military point of view, and I am taking into consideration the circumstance which must have weighed upon the mind of Lord Auckland. The communication was intercepted; the army of Candahar was 549 miles from the Indus; and between the army and that point there was also interposed the Bolan Pass. What was the position of the army at Cabul? The army at Cabul was 540 miles from Ferozepore, the nearest town of British India, and the whole of the Punjaub had to be traversed; and this too, at a time when, it must be well known to many hon. Gentlemen, a feeling and a spirit prevailed among the Sikh troops not the most favourable to such a movement. They must recollect that between Jellalabad and Cabul there was the Khyber Pass; that for a distance of 153 miles out of the 540, there was a country exceeding in difficulty, in respect to military communication, any other country on the face of the globe. Another fatal reverse such as that which had taken place at Cabul might have had the most prejudicial effect, for disasters of that kind were not merely doubled, but acted with a force infinitely increased, by repetition. I do say, then, that Lord Auckland, in my opinion, acted wisely in collecting the forces within British India, and taking time to deliberate as to what policy should be pursued. When the vote of thanks was proposed in this House to Lord Auckland, though I differed from that noble Lord as to certain portions of his policy, yet, considering that that noble Lord was fairly entitled to the public acknowledgments for the zeal which he had manifested in preparing and directing the resources of India in aid of the military operations in that country, I gave to that vote, so far as Lord Auckland was concerned, the support which I thought it deserved—to which I thought the noble Lord entitled, and I have seen nothing since that time in the conduct of Lord Auckland, up to the time of his quitting India, with respect to those military operations, which makes me desirous of withdrawing the opinion I then expressed. However, that was the condition of affairs when the present Governor-general succeeded to Lord Auckland. The first letter which Lord Ellenborough wrote on the subject of the policy which should be pursued is dated March 15, 1842. That despatch contained the precise views of the Governor-general, and in it is the following passage. The paper I am about to quote is No. 200, and is at page 167 of the book. Lord Ellenborough goes on to say:—

> "Whatever course we may hereafter take must rest solely upon military considerations, and have, in the first instance, regard to the safety of the detached bodies of our troops at Jellalabad, at Ghuznee, at Khelat-i-Ghilzie, and Candahar, to the security of our troops now in the field from all unnecessary risk, and, finally, to the re-establishment of our military reputation by the infliction of some signal and decisive blow upon the Affghans, which may make it appear to them, to our own subjects, and to our allies, that we have the power of inflicting punishment upon those who commit atrocities and violate their faith, and that we withdraw ultimately from Affghanistan, not from any deficiency of means to maintain our position, but because we are satisfied that the king we have set up has not, as we were erroneously led to imagine, the support of the nation over which he has been placed. But, while the facts before us

justify the withdrawal of our troops from Affghanistan, and the refusal of all further assistance to Schah Soojah, they are yet not such as to make it consistent with our reputation to give our future support, as is suggested by Major Rawlinson, to Schah Kamram, and to make over Candahar to that nominal ruler of Herat, even were it consistent with prudence to engage in a new speculative enterprise beyond the Indus, which might render it necessary for us to retain, at an enormous cost, a large body of troops in the difficult country between that river and Candahar, for the purpose of maintaining in the country so made over to him a sovereign personally incapable, and for many years unknown to its inhabitants, otherwise than by the fame of his degrading vices. We are of opinion that it would be erroneous to suppose that a forward position in Upper Affghanistan would have the effect of controlling the Sikhs, or that a forward position above the passes of Lower Affghanistan would have the effect of controlling the Beloochees and the Scindians, by the appearance of confidence and of strength. That which will really, and will alone control the Sikhs, the Beloochees, and the Scindians, and all the other nations beyond and within the Indus, is the knowledge that we possess an army, perfect in its equipment, possessed of all the means of movement, and so secure in its communications with the country from which its supplies and its reinforcements are drawn, as to be able at any time to act with vigour and effect against any enemy. In war, reputation is strength; but reputation is lost by the rash exposure of the most gallant troops under circumstances which render defeat more probable than victory; and a succession of reverses will dishearten any soldiers, and, most of all, those whose courage and devotion have been mainly the result of their confidence that they were always led to certain success. We would, therefore, strongly impress upon the commanders of the forces employed in Affghanistan and Siende the importance of incurring no unnecessary risk, and of bringing their troops into action under circumstances which may afford full scope to the superiority they derive from their discipline. At the same time, we are aware that no great object can be accomplished without incurring some risk; and we should consider that the object of striking a decisive blow at the Affghans, more especially if such blow could be struck in combination with measures for the relief of Ghuznee—a blow which might re-establish our military character beyond the Indus, and leave a deep impression of our power, and of the vigour with which it would be applied to punish an atrocious enemy —would be one for which risk might be justifiably incurred, all due and possible precaution being taken to diminish such necessary risk, and to secure decisive success. The commanders of the forces in Upper and Lower Affghanistan will, in all the operations they may design, bear in mind these general views and opinions of the Government of India. They will, in the first instance, endeavour to relieve all the garrisons in Affghanistan which are now surrounded by the enemy. The relief of these garrisons is a point deeply affecting the military character of the army, and deeply interesting the feelings of their country; but to make a rash attempt to effect such relief, in any case, without a reasonable prospect of success, would be to afford no real aid to the brave men who are surrounded, and fruitlessly to sacrifice other good soldiers, whose preseravation is equally dear to the Government they serve. To effect the release of the prisoners taken at Cabul is an object likewise deeply interesting in point of feeling and of honour. That object can, probably, only be accomplished by taking hostages from such part of the country as may be in, or may come into, our possession; and, with reference to this object, and to that of the relief of Ghuznee, it may possibly become a question, in the event of Major-general Pollock's effecting a junction with Sir Robert Sale, whether the united force shall return to the country below the Khyber Pass, or take a forward position near Jellalabad, or even advance to Cabul. We are fully sensible of the advantages which would be derived from the re-occupation of Cabul, the scene of our great disaster and of so much crime, even for a week, of the means which it might afford of recovering the prisoners, of the gratification which it would give to the amy, and of the effect which it would have upon our enemies. Our withdrawal might then be made to rest upon an official declaration of the grounds upon which we retired as solemn as that which accompanied our advance; and we should retire as a conquering, not as a defeated power; but we cannot sanction the occupation of an advanced position beyond the Khyber Pass by Major-general Pollock, unless that general should be satisfied that he can, without depending upon the forbearance of the tribes near the Pass, which, obtained only by purchase, must under all circumstances be precarious, and, without depending upon the fidelity of the Sikh chiefs, or upon the power of those chiefs to restrain their troops, upon neither of which can any reliance be safely placed, feel assured that he can, by his own strength, overawe and overcome all who dispute the Pass, and keep up at all times his communication with Peshawur and the Indus; and we would caution Major-general Pollock, and all the officers commanding the troops in the field, not to place reliance upon, or to be biassed by, the representations of native chiefs, who may have been expelled from their country in consequence of their adherence to us, and who will naturally be ready to lead us into any danger by operations which may have the possible effect of restoring them to their former possessions."

Sir, it is evident from this letter, that

Lord Ellenborough's main objects, were, to relieve the garrisons, to rescue the prisoners, and to re-establish the military supremacy of the British arms, if even only for a time, in Cabul and Affghanistan; but that he did not contemplate a permanent occupation of Affghanistan. On the 15th of March, 1842, those were the objects and this was the policy which he contemplated. Those objects have been accomplished, and the policy has practically been carried out. I am quite aware that in the period that elapsed between the 15th of March and the successful result of those operations which he then contempleted Lord Ellenborough did at one time take a different view of the policy of Indian affairs; and that he issued the order of the 19th of April to General Nott to withdraw from Candahar. But under what circumstances did he issue the order of the 19th of April? Here again, as in the case of Lord Auckland, I will call on the House to bear in mind the responsibility devolving upon the Governor-general contemplating the fatal consequences that might arise from a repetition of such disasters as those which had but lately befallen our troops. On the 19th of April, Lord Ellenborough strongly recommended, and, indeed, directed General Nott to withdraw from Candahar, to rescue, if he could, the garrison of Ghuznee, to destroy the fortifications of Kelat-i-Ghilzie, and to retire within the British frontier. When he gave this order on the 19th of April, he had just received intelligence of the fall of Ghuznee—had just received an account that Colonel Palmer, who commanded at Ghuznee, had found, or considered it to be impossible to maintain his position, and that he had surrendered Ghuznee to the force by which it was then besieged. At the same time, Lord Ellenborough received intelligence of the failure of General England to advance through the Bolan Pass for the purpose of assisting General Nott at Candahar. Thus, on the day that Lord Ellenborough wrote that letter, he had received information of two signal failures at two different points in the attempt made to relieve the pent-up garrisons in Affghanistan. Brigadier Wilde, with four regiments, had been driven back from the Kyber Pass; and General England, with a considerable force, had failed in forcing a passage through the Khojuk Pass, which lies between the Bolan Pass and Candahar. What were the letters, which at that very time, almost on that very day, General Pollock and General Nott were writing to Lord Ellenborough? It was on the 19th of April that he gave his directions to General Nott to withdraw from Candahar. He could not be correctly informed of the actual state of the armies in Affghanistan at that particular time. He knew that Ghuznee had surrendered. He knew that the passes between the Indus and Candahar had not been forced by General England, but that that general had met with discomfiture. He knew, also, the feeling that prevailed amongst some of the regiments of the army which was commanded by General Nott. These were the accounts which he received when he gave his orders of the 19th of April, written respectively by General Nott and General Pollock. General Pollock, writing from Jellalabad, on the 20th of April, (the day after the issuing of the order), says:—

> "I have already stated my views with regard to the Khyber Pass. I have also shown, that from the system of supplying carriage-cattle, I have not the means of moving, and the country around cannot supply my wants. To establish dépôts or strong posts at intervals on the road between this and Cabul, would so reduce the numerical strength of this force, that by the time it reached the capital, it would be too weak to effect the desired object. For several marches, no forage is procurable. Even if we had carriage, the conveyance of forage would so increase the number of animals to be protected, that I should much doubt our being able to convoy them in safety; and, I confess, after the treachery we have experienced, I could have no confidence in any promises of support from an Affghan; he might engage to lay in forage at intervals, for the express purpose of leading us into a difficult position, and then glory in having served his own cause by bringing us to the verge of destruction. The devastation of a few villages in our vicinity, with all the grain and forage, would be a small matter in the eyes of an Affghan, if he could thereby destroy our force, and such a measure would assuredly go near to effect it. I have maturely considered the question of our advance by this road to Cabul, and I confess that I see too many difficulties to warrant our risking such a course. The force I have the honour to command, if well supplied, is ready to march anywhere, and if I could have advanced by the route of Candahar, our success would be certain."

This was written on the 20th of April. General Nott, of course, not being aware of the order that was written on the 19th of April, gives, on the 18th of April, this account of his position at Candahar:—

> "In the event of field operations, the deduction of these 3,000 men would leave me scarcely 4,000 troops, including this cavalry, to oppose the enemy in the field, and to guard a long train of provision and carriage-cattle; and, however distant the service from this important magazine, every particle of food must be carried with the force; thus crippling and retarding all its movements. The troops and establishments at Candahar are four months in arrears, and there is not a rupee in the treasury; nor can money be borrowed. We have no medicine for the sick and wounded; and, in the event of much service in the field, I fear we should run short of musket-ammunition, although I have contrived to have a considerable quantity prepared from old and damaged powder; frequent application has been made to the authorities in Sinde, during the last four months, for treasure, ammunition, stores, medicines, and particularly for cavalry, but no aid whatever has been afforded. I want draught and baggage-cattle to enable me to move; but without money, in a country like this, I can neither purchase nor hire them. I have no cattle for moving even three regiments; during our field operations of last month, both officers and men marched without tents. Under these circumstances, my difficulties were certainly great; but, although I consider it to be my duty to state these facts, the Government may rest assured of my best and unremitting exertions to carry into effect its views and instructions, and to uphold the reputation of our arms, and the honour of my country."

[Mr. *Mangles* read the next paragraph.] General Nott continues in these terms:—

> "Perhaps it is not within my province to observe, that, in my humble opinion, an unnecessary alarm has been created regarding the position of our troops in this country, and of the strength and power of the enemy we have to contend with. The enemy cannot face our troops in the field with any chance of success, however superior they may be in numbers, provided those precautions are strictly observed, which war, between a small body of disciplined soldiers, and a vast crowd of untrained, unorganized, and half-civilized people, constantly renders necessary."

I really do not wish to introduce a word that should reflect in any way upon those by whom Lord Ellenborough was preceded. The order of the 25th of February, recalling the previous orders, was issued by Lord Auckland, not by Lord Ellenborough. I do not wish upon this occasion to introduce any thing that may have the appearance of reflecting upon any part of Lord Auckland's conduct. I have stated what my impressions are with respect to the course pursued by Lord Auckland, and it is my wish not to introduce a word that might savour of party character, or bear the appearance of the slightest degree of injustice to those to whom I am politically opposed. General Nott continues,

> "True, the British troops suffered a dreadful disaster at Cabul, and it is not for me to presume to point out why this happened, however evident I may conceive the reasons, and the long train of military and political events which led to the sad catastrophe."

The hon. Gentleman might challenge me to go on with the next sentence. What does General Nott say in that passage of his letter:

> "Had I been reinforced, with a single regiment of cavalry, I feel convinced that I could long since have tranquilized or subdued the rebellious feeling in the provinces dependant upon Candahar, and that a very few additional troops from Sinde, to garrison this extensive and important city, would have set me free from my present difficult position, and have enabled me at this moment to have been on my march to Ghuznee and to Cabul; but, although near six months have elapsed since the outbreak at that city, no aid of any kind has been sent to me; and the circumstances I have now detailed still confine me to this post and its immediate vicinity."

I really do not think it necessary or expedient to proceed with the quotation of passages of this nature. What I say is this, that these reports of the 18th of April and the 20th of April, from the respective commanding officers with regard to the state of the two armies, upon the efficiency of which our only hope of embarking in successful operations against Affghanistan depended, coming in addition to the accounts of the surrender of Ghuznee, and the failure of General England to force the Khojuk Pass, in my opinion vindicates the policy of the order given by Lord Ellenborough under the impression that then existed on his mind on the 19th of April—that order being substantially to this effect: "Do not, in the present inauspicious aspect of affairs, incur the great risk of advancing upon Cabul. General Pollock tells you that he cannot advance—that he cannot support you." I say that, with the impressions which existed upon Lord Ellenborough's mind, it was true wisdom to give the order of the 19th of April, and that he deserves the commendation of this House for having given it. And he says most justly in another despatch:

> "True it is, that I might conciliate public favour by directing an advance in the midst of these difficulties, but if by an act of precipitation of that kind I were to compromise the safety of our empire in India, I should never during my existence cease to upbraid myself for refusing to take the responsibility of delaying the march of the troops."

I can hardly think it would be necessary for me to convince any gentleman who has read through these despatches—who has seen the devotion to the public service manifested by Lord Ellenborough in respect to provisioning the army, to detain the House at any greater length to show, nay, I should almost feel ashamed if I were to make any further endeavour to show, that upon that ground Lord Ellenborough is justly entitled to the expression of public thanks. What did Lord Ellenborough do with respect to provisioning the army? On the 16th September he says—

> "Every possible effort has been made to supply Major-general Pollock's force with carriage, and to provide for the expected wants of Major-general Nott's force, when it joins the army in the Cabul valley. In the ten weeks ending the 8th of September, there have been purchased 7,653 camels, and 5,026 mules and ponies; 1,265 Bringaree bullocks have been hired, and 1,000 camels; and I have reason to think that 1,500 more Bringaree bullocks have been hired at Peshawur, making in all 16,444 animals. The purchases of camels continue, and I have directed that every mule may be procured which can be deemed fit for service. I am satisfied that I shall have the entire concurrence of your committee in the opinion I have expressed to the Commissary-general, that the army must be supplied, cost what it may; and that it is better to have a thousand animals too many than a hundred too few. The losses of animals, however, must of necessity be so large, that I have no hope that all my efforts will do more than provide for the absolute requirements of the retiring army. Camp equipages, clothing, shoes, medical and other comforts, are to be forwarded by these animals; and I trust the army will feel that it incurs no suffering which could have been obviated by the paternal care of the Government."

Look, Sir, at the range from which it was necessary to obtain these supplies. Look at the exertions necessary in the course of ten weeks, to procure 10,000 beasts of burthen; and do not forget how the country out of which they were procured, had been exhausted by previous exertions of a similar nature. Do not forget that it was a field from which you could hardly hope to draw fresh supplies for a new emergency. What is the calculation of Major Todd, who inscribes the work he wrote to Lord Auckland? Major Todd states that the loss of beasts of burthen between November, 1838, and the same period of 1839, was not less than 32,000. Therefore, when you estimate the extent of the exertions which it became necessary to make, in order to procure a supply of 16,500 beasts of burthen, you must not forget that the loss sustained in that way by the operations of 1838 and 1839 amounted, according to the highest authority, to not less than 32,000. I feel most confident, therefore, that this House, whatever its opinion may be upon points of policy, will recognise the claim of Lord Ellenborough to a public acknowledgment,

> "For the ability and judgment with which the resources of the British empire in India have been applied in support of the military operations in Affghanistan."

That it will bear in mind the despatch of the 15th of March—that it will bear in mind the objects which Lord Ellenborough contemplated on assuming the Government of India, as he did amidst a great depression of popular feeling, and with a picture of most forbidding aspect—that it will bear in mind that his object was to relieve every garrison in Affghanistan, to release every prisoner, to re-occupy Cabul, and to prove to India and the world the supremacy and invincibility of British arms in that quarter of the world—that it will bear in mind that every object so contemplated was, within a period of eight or ten months, completely realised; and that Lord Ellenborough had the satisfaction of seeing the army, a portion of which had left the British frontier dispirited and full of fearful forebodings, return to the banks of the Sutlege, full of spirit, joyous, triumphant, and in a state of the greatest efficiency. I feel too much confidence in the generosity of this House to believe, that any consideration, that any difference in political opinions, could influence it in refusing a just acknowledgment of public services, upon the ground on which I now ask for the acknowledgment to Lord Ellenborough. And I must take this opportunity of cautioning the House, although I know that this night's comments upon Lord Ellenborough's policy, or comments upon his conduct will not influence it, when we are meeting upon this neutral field for the purpose of considering the claims of a public man to public thanks, on account of his conduct in support of great and important military operations—yet I feel it necessary to caution the House against the introduction of comments which, however just or true they may be believed to be by those who make them, may yet, in fact, be the occasion of producing most unfounded impressions against the parties towards whom they are directed. Ample opportunities will be afforded on other occasions, for any comment that hon. Gentlemen may wish to make on any part of Lord Ellenborough's policy and conduct. An hon. Gentleman has to-night given notice of a motion on one part of Lord Ellenborough's policy; but I think I can demonstrate to the House the impropriety of inferring that everything it hears to the prejudice of Lord Ellenborough, is necessarily true. The other night the noble Lord opposite (Lord John Russell,) made some comments upon the conduct of Lord Ellenborough with respect to the public servants in the employ of the East India Company. The noble Lord was particularly severe upon the conduct of Lord Ellenborough to a gentleman of the name of Amos. The noble Lord said that that gentleman had been employed in the instruction of her Majesty—that he was a gentleman of the highest character, of great attainment, and great qualification—that that gentleman went from this country a few years ago with a high character for legal acquirements; but that, well known as his attainments were, and high as he was known to stand in the estimation even of her Majesty, one of the first acts of Lord Ellenborough (as the noble Lord was informed) was to insult Mr. Amos in such a manner as to induce that gentleman to throw up his situation. I am certain that, even if the noble Lord were justified in making that assertion, you would not allow it to operate with you upon the present occasion; but I mention the circumstance to show you the necessity of waiting till you have all the evidence before you, before you lend an ear to any statements of this nature. It cannot be denied that a most unfavourable impression was made with respect to Lord Ellenborough by the statement to which I have referred. I do not say or suppose that it was the intention of the noble Lord to produce such an impression, but such undoubtedly was the effect of his statement. He stated that Lord Ellenborough took the first opportunity of treating this gentleman of high attainments with such marked insult as to compel him to relinquish his situation. I was quite sure that the noble Lord would not advance anything of a kind so calculated to prejudice a political opponent, acting under a deep responsibility at a great distance from home, and without the power of reply, unless he were perfectly convinced of the accuracy and truth of what he was asserting. My confidence in the noble Lord's generosity satisfies me upon that point. But for the purpose of inculcating upon the House the necessity of pausing before it leaps to conclusions upon these *exparte* statements, I will read a letter which has been put into my hands since the noble Lord's statement was made, and which the writer leaves me at liberty to use. It is a letter from the wife of Mr. Amos, who, having read in the public papers a report of what had passed in this House writes, on the 12th of February, as follows:—

"*St. Ibbs, Hitchin, Feb.* 12, 1843.

"My dear Sir—You probably may have noticed in Lord John Russell's speech on Thursday last, that he asserted that Mr. Amos resigned his appointment in Calcutta in consequence of having been insulted by Lord Ellenborough. Now, as there is not a word of truth in this statement, I think it right to contradict it, at least amongst Mr. Amos's old and valued friends. When he went out to India five years ago, Mr. Amos always intended to resign in 1843, and I am sure nothing would induce him to remain at Calcutta another year; now that all his family are here; his children just springing into manhood, and requiring all a father's care and example. As to Lord Ellenborough's conduct, it has been one of unvaried politeness and civility. I believe they were mutually pleased with each other; and when Mr. Amos wrote to Lord Ellenborough in the autumn, when he was up the country, saying it was his intention to resign, Lord Ellenborough replied, that he was extremely sorry to lose so very agreeable a colleague. I hope you will excuse my troubling you with this long note, but I could not feel easy until I had done so.

"Believe me, my dear Sir,
"Yours very truly,
"MARTHA AMOS."

A more convincing proof cannot be offered of the injustice which you must commit, if you permit vague assertions of this kind—assertions incapable of proof, but believed to be true by those who make them—to influence you in withholding from Lord Ellenborough that which I believe, in common with the highest authority in the world, to be most just, and due on account of these military operations. So much for Lord Ellenborough and for Lord Ellenborough's claim to public thanks. I hope I have most strictly kept my word, and avoided all reference to mere political matters. With respect to the claims of the gallant officers, under whose directions these exploits have been performed, I am perfectly convinced, that upon that head there can be no difference of opinion. It is impossible to read these details of service—it is impossible to read the accounts of General Pollock—of General Nott, and of General Sale, without being inspired by all those feelings which are connected with the honour and military glory of our country. I am sure the House will excuse me, if, with respect to each of these officers and their claims upon public gratitude, I make some remarks. I begin with General Pollock. General Pollock took the command of the force intended to rescue General Sale early in the month of February. He arrived at Peshawur on the 5th of February, 1842. He had, then, of course, heard of the failure of Brigadier Wilde. On the day that he arrived at Peshawur, he found that in Brigadier Wilde's brigade there were not less than 1,000 sick. The day after he arrived he went to the camp at once. He found that the number of sick in the camp, on the 12th of February, was 1,800 men. What was the course he pursued? On the day after his arrival, postponing every other concern, he visited all the hospitals, and saw all the surgeons with a view of ascertaining from them, if possible, the cause of this sickness. He says—and these things do him honour—this is the way to inspire confidence, this is the way to show that you are not merely contemplating the means of obtaining the thanks of Parliament by brilliant exploits, but that you are attending to the comforts of your men; this, I say, is the way to inspire confidence, and I mention these things for the honour of the distinguished man by whom they were performed — I would even rather dwell upon them than upon his military success, because they are, in truth, the elements of future success. This, I repeat, is the way to inspire confidence. General Pollock, writing on the 12th of February, says, "I shall visit their hospitals frequently, and by adding in any way to their comforts, show that I feel an interest in them." General Pollock adds, "There has been some unpleasant feeling amongst them, which I hope has entirely subsided." He had heard of the dejection which prevailed amongst some of the Sepoy regiments. What was the course he took? He saw every officer; he visited the regiments; he determined not to act with harshness towards the men. Not calling them to courts martial, he depended upon the influence of reason with them, and in the course of a very short time, he succeeded in completely re-establishing the confidence which had been so deeply shaken. The Sepoy regiments were for a time depressed by the expected difficulties of the Khyber Pass—when they found some of their countrymen coming from Cabul with dreadful stories of the cruelty to which they had been exposed—when they declared their readiness to meet any enemy in the open field—when they said, "We will advance to Jellalabad for the rescue of General Sale, but we tell you fairly that the idea of advancing to Cabul presses upon our spirits." I hope the House will not think too harshly of these men, when it considers the noble manner in which they retrieved their character. If we wanted anything else to add to the interest of these scenes, it would be found in their association with the ancient history of the world. I was struck by the recollection, that it was in the self-same region, and in the midst of similar scenes, that which one of the greatest of anciemt conquerors, 2,300 years ago, was displaying his power, and encountering the same difficulties that for a time depressed the spirit and damped the courage of our Sepoys. And I was struck by the account given by the Roman historian of the dejection which prevailed even in the ranks of the Macedonian phalanx, when they had to encounter and overcome the difficulties of the same terrible region — to cross the very same rivers, to force the very same passes. This is the speech attributed to Alexander, and which the historian tells us he found it necessary to address to the gallant military force which accompanied him. He found it necessary not to punish but to address them. He did so in these words:

> "Date hoc precibus meis et tandem obstinatum rumpite."

He observed that the passage of these rivers of the Punjaub, and the accounts of the formidable character of the enemy, had shaken the confidence of his troops. Wherefore he says:

> "Ubi est ille clamor alacritatis vestræ index? Ubi ille meorum Macedonum vultus? Non agnosco vos milites."

He addressed them in vain. The historian says,

> "Quumque illi in terram demissis capitibus tacere perseverarent."

He then said to them,

> "Ite reduces domos; ite deserto rege ovantes. Ego hic à vobis desperatæ victoriæ, aut honestæ morti locum inveniam."

These were the words which Alexander addressed to his fainting troops. Amidst these very rivers of the Punjaub—amidst these very Affghan passes, Alexander pursued a course similar to that which at another period was adopted by another military commander—he attempted not by severity—not by enforcing the rigid rules of war, but by reasoning with his men to revive their drooping spirits; and he succeeded. If the Macedonian phalanx needed such an address from the mighty conqueror who led them, let us not judge too harshly of our sepoys, if in the midst of similar difficulties they yielded for a moment to a sense of depression. Now, what were the military services of General Pollock? He forced the Khyber Pass by a series of operations carried on from the 7th to the 16th of April. He reached Jellalabad on the 16th of April, although in the Pass 10,000 men had been opposed to him. He remained with General Sale for a time; then advanced towards Cabul, reached Gundamuck in August, and on the 8th of September defeated the Ghilzies. On the 8th of September he was met at Tezeen by Akhbar Khan, with a force of 10,000 men, on the very field of action where lay the bodies of those who had been massacred with ferocious cruelty and gross breach of faith—on that very spot, General Pollock, aided by General Sale, was completely successful in vindicating the honour and invincibility of the British arms, and on the 16th of September General Pollock entered Cabul, the British flag was hoisted on the Bala Hissar, and the national anthem of "God save the Queen," resounded through the streets of the re-captured city. In whatever point of view his services is regarded —whether as relates to his conduct in the field, his judgment, his discretion, or the happy skill with which he revived the drooping spirit of his soldiers—I think the House will unanimously award to General Pollock the highest distinction which a military man can receive, and record their public acknowledgment to him for his gallantry and perseverance in the face of such serious difficulties. With respect to General Nott, I think that no one can have read the letters written by him in the course of the severe trial to which he was exposed, without finding in that correspondence internal evidence that he must be a man highly deserving of public confidence. General Nott, when the insurrection at Cabul broke out, occupied Candahar, and under his command were the inferior stations of Ghuznee and Khelat-i-Ghilzie. On the 7th of March a powerful force was collected around Candahar. General Nott left 2,600 men in garrison, and marched out to attack the enemy, who were collected under a prince of the name of Suftur Jung. He came up with them on the 9th, and defeated them; and he states this remarkable and most creditable fact, that during a march of five days, he being weak in cavalry, and the enemy having 6,000 horse, such was the discipline and steadiness of the troops, that not one camel was taken, and not a particle of baggage was missing. On the 29th of May Ackbar Khan having effected a Junction with Prince Suftur Jung, General Nott, who was then reinforced by General England, left General England in command of the city, and advanced to attack the enemy. On that day the Ghazees had 8,000 men occupying a strong position, and 2,000 men guarding the Baba Wullee Pass and the road leading to their camp. General Nott was again completely successful. Whilst he was carrrying on these operations, an assault was made upon Khelat-i-Ghilzie. A captain was in command there, whose name ought to be mentioned, Captain Craigie. The force under his command consisted almost exclusively of sepoys. He was attacked by two divisions of 2,000 men; but the attack was repelled by the discipline and steadiness of the small band which he commanded. These are the men, captains and lieutenants—you cannot include their names in the vote of thanks—but these are the men, and I will mention their names, who are to constitute our future commanders; and I know that although they cannot be included nominally in our vote, yet that it will be gratifying to them, humble as their rank may be, to know that when these thanks are proposed, our gratitude is not exclusively confined to those who were actually at the head of our armies. General Nott, availing himself of the discretion that was given to him, moved from Candahar on the 10th of August; on the 30th he defeated Shumshoodeen Khan, about twenty-seven miles from Ghuznee; on the 6th of September he took Ghuznee and destroyed the fortifications; on the 17th of September he was within five miles of Cabul, and a few days after he effected a junction with General Pollock, who had reached that place. Notwithstanding he had been ordered to evacuate Candahar, in consequence of the disastrous intelligence which had reached the Governor-General, still, during six months of adverse fortune and complete silence, that brave man's gallant spirit never quailed. It was painful to him to think of retiring; he thought of nothing but of retrieving the honour of the British name; and I do not confine my admiration of General Nott merely to his military prowess and skill, but I say that the mind which conceived the expressions contained in the letter addressed by him to General England are proofs of a noble spirit equal to any emergency, and command the highest acknowledgments on the part of a grateful country. In that letter, written also on the 18th of April, 1842, after the failure of General England, he says.—

> "The troops at Candahar are four months' in arrears, and we have not one rupee in the treasury. In the event of much field service, we should run short of musket-ammunition; and we are without medicine for the sick and wounded. I think it absolutely necessary that a strong brigade of 2,500 men should be immediately pushed from Quetta to Candahar with the supplies."

And, further on, he observes:—

> "The people of this country cannot withstand our troops in the open field. I am well aware that war cannot be made without loss, but I yet hope that British troops can oppose Asiatic armies without defeat; and I feel and know that British officers should never despair of punishing the atrocious and treacherous conduct of a brutal enemy.
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> "I feel obliged to you for pointing out the many difficulties attending our position, but you are well aware that it is our first and only duty to overcome difficulties, when the national honour and our military reputation are so deeply concerned. Nothing can be accomplished without effort and perseverance. In reply to the last paragraph of your letter of the 10th instant, I have only to observe, that I have not yet contemplated falling back; without money I can neither pay the long arrears due to the troops, nor procure carriage for field operations."

I say, considering all these circumstances—considering the separation of that man—the silence of six months which had occurred, and the failure of General England—that the man who wrote that letter is a man of whom this country may be justly proud—that his name will be treasured in the memory of his country, and that this letter will be one of its most honourable records. And when Lord Ellenborough offered to General Nott the option of deciding upon the route of Ghuznee and Cabul, I think that the letter which General Nott wrote in answer after fully considering all the advantages and disadvantages of an advance or a retreat and stating that he had made his mind up neither respecting an advance or a retreat, but that if an opportunity offered, he would make decisive efforts to re-establish the British name and authority in India—I think that such a letter is a worthy companion to the letter of the 18th of April, addressed to General England. The letter is No. 416 in the printed papers, and is dated Candahar, July 26, 1842. After all the abhorrence which the treachery and cruelty of the Affghans towards our troops must naturally have excited in the minds of the British in India, this letter contains the most honourable testimony, not merely to the intellectual, but to the moral character of General Nott. Amidst all the difficulties he had to contend with, and all the provocations he had received, he writes:—

> "I am most anxious, notwithstanding the conduct of the Affghan chiefs, that our army should leave a deep impression on the people of this country of our character for forbearance and humanity."

I am sure the House will excuse my taking up its time, if, on a subject so deeply interesting to our feelings, I am desirous of leaving upon record the sense which the country entertains of the services rendered to it by these men. It is impossible that, having mentioned the names of Pollock and Nott, I should omit the mention of another name, and the services rendered by another gallant man —Sir Robert Sale. From the day he occupied Jellalabad to the day on which he advanced triumphantly to Cabul, his operations were distinguished by the most indomitable spirit of valour, endurance, and devotedness to his country's honour. Although with a force far inferior in numbers to those under the other generals, yet never were deeds more glorious to the character of the British arms achieved than were those which, during the period of ten months that intervened between the occupation by Sir Robert Sale of Jellalabad on the 11th of November, 1841, to the 7th of September, 1842, when he advanced leading his small but illustrious army to meet their brethren in arms at Cabul, were achieved by that gallant band. General Sale took possession of Jellalabad on the 11th November, 1841. He came there surrounded by thousands of hostile people. He says, in one of his letters, that he occupied Jellalabad with only two days' provision. In his march from Cabul choice was given to him either to return to Cabul or to go on to Jellalabad, and he most wisely determined to go to Jellalabad. When he got there he found the walls of the city 2,800 yards in circumference, and all the ramparts entirely ruined, the parapets thrown down, the bastions destroyed, and the fortifications, for upwards of 400 yards, entirely dismantled. From the extent of the destruction of the walls it was impossible for a man to show his face in consequence of being totally without any cover. In the course of that same day, the place was surrounded by 5,000 insurgents; on the next day General Sale heard of the failure of Brigadier-general Wilde, while at the very same moment a considerable portion of Shah Soojah's troops, under General Sale's command, had shown indications of a doubtful character, so that he was obliged to part with them. Amidst all these difficulties and privations, the men laboured with such a degree of cheerfulness and devotion, that in the early part of February they had succeeded in re-establishing the defences. Three of the gates were retrenched, and a ditch ten feet in depth and twelve feet in width, was dug entirely round the town, the men handling the sword at one time and the pickaxe and spade at another; they completed the parapets, raising them six or seven feet, so that by the 16th or 17th of February the troops were exulting in the success of their operations, and contemplating with joy the completion of their defences and the strength of their powers of resistance. On the 19th of February, 1842, there was an earthquake, which utterly destroyed everything. By that shock, all that had been done, besides three parts of the town itself, was destroyed, and that gallant army had the mortification to see that, by the visitation of one night, all the results of their past labours had vanished. Within the space of little more than a month, a hundred shocks occurred within the hearing of the town. But, undismayed by this reverse, the troops renewed their labours, and repaired the ruined walls, and never for one moment did they abate in their exertions except upon the approach of the enemy, when it became necessary for those gallant men to attack and repulse them. Ackbar Khan, flushed with success, advanced from Cabul, and arrived before Jellalabad. The earthquake took place on the 19th of February, when all the works and three parts of the town were destroyed. On the 21st and 22nd of February, General Sale attacked Ackbar Khan; and from that time to April he and his troops were kept in a state of apprehension, and, though not actually engaged, they were constantly on the watch in order that they might be prepared to resist the attack of Ackbar Khan. General Pollock was during this making every exertion to relieve General Sale and the troops at Jellalabad. On the 7th of April, General Sale heard the firing of guns in the camp of Ackbar Khan. It was rumoured, that the firing was on account of the failure of General Pollock making his way through the Khyber Pass. General Sale had reason to believe, that it was either on that account, or else an indication that Ackbar Khan intended to withdraw. General Sale, therefore, determined to attack Ackbar Khan, who had the command of 16,000 troops, while General Sale's force only amounted to 1,800. The attack was made, and it was entirely successful; the enemy were routed; and although the enemy bore the attack with great courage, the valour of the British troops was triumphant, and victory was the consequence of their enterprise. And that victory would have been almost a cause of unqualified rejoicing, if it had not been purchased at the cost of the life of one of those gallant spirits who have shed increased lustre on the British name, at the cost of the life of Colonel Dennie, who led the British troops against the enemy, and succeeded; but that success was dearly purchased by the sacrifice of his own life. It was a loss, however, in some degree consoled for by the glorious manner of it, and which has been described by a spirit as excellent as his own, who, in offering consolation to his family and friends, says—"True it is he has lost his life, but he lost it on the field of battle, and in the hour of victory." That is the consolation which Sir Robert Sale offers to the friends and family of the brave Colonel Dennie. I wish it had been otherwise. I wish it had been possible that either Colonel Dennie's life could have been spared, or that he might have been consoled in the hour of death by the knowledge that on account of his noble bravery and of his high character—having no other interest or influence than the just influence and interest which such courage and devotion as his ought always to command—the Queen had signified her own especial and personal wish that Colonel Dennie should have been one of her own aides-de-camp. On the 16th of April, 1842, General Sale was relieved by General Pollock. On the 20th of August, he advanced towards Cabul, and on the 18th of September, he witnessed on the Beymaroo Heights the victory of Cabul. We are now acknowledging military services; but I never should excuse myself if, in mentioning the name of Sir Robert Sale, I did not record my admiration of the character of a woman who has shed lustre on her sex—Lady Sale, his wife. The names of Sir Robert, and of Lady Sale will be familiar words with the people of this country. I hold in my hand a memorandum of events which occurred in the neighbourhood of Cabul, from the 7th of November, written by Lady Sale, and a document more truly indicative of a high, a generous, and a gallant spirit I never read. There was an officer at that time at Cabul who stood in the relation of son-in-law to Sir Robert Sale—his name was Sturt. He held no higher rank than that of lieutenant, and died young, but he lived long enough to establish also a name which will long be remembered. Will the House permit me to read an account which, writing to her husband, Sir Robert Sale, she gives of his merits. She says,—

"Sturt was sent by the general with a message to Ackbar Khan; he was stabbed in four places—his face, his shoulder, his arm, and in his side."

This was on the 4th of November. She says,—

"Sturt is able to speak; his wound in the shoulder is worse; he is weak, but his side is not so bad. The lungs are uninjured; his face wound is near the corner of his eye. He was struck on the bone with such force that he was stunned for a moment."

On the 6th of November, two days after he received his wounds, Lady Sale writes—

"Sturt insisted, weak as he was, on going to the general, as there was no engineer there but himself. The general gave him leave to do as he pleased."

On the 7th of November, she says—

"Sturt's wounds are doing well, but he overworks his strength. He cannot yet open his mouth. His tongue has greatly suffered, and all nourishment is given with a spoon. He is out all day. The soldiers lead him about. Last night, he did not go to bed till one o'clock, and then he was wakened up just afterwards, the general requiring his assistance."

Who, that reads this, can fail to express his admiration at such noble conduct. His death is thus described by Lieutenant Eyre. He says, speaking of a certain attack made by Ackbar Khan—

"Providentially the whole escaped, with the exception of Lady Sale, who received a slight wound in the arm. The rear-guard, consisting of her Majesty's 44th and 54th Native Infantry, suffered severely; and at last, finding that delay was only destruction, they followed the general example, and made the best of their way to the front. Another horse-artillery gun was abandoned, and the whole of its artilleryman slain. Captain Anderson's eldest girl, and Captain Boyd's youngest boy, fell into the hands of the Affghans. It is supposed that 3,000 souls perished in the pass, amongst whom were Captain Paton, assistant quarter-master-general; and Lieutenant St. George, 37th Native Infantry; Majors: Griffiths, 37th Native Infantry, and Scott, her Majesty's 44th; Captains: Bott, 5th Cavalry, and Troup, brigade-major, Shah's force; Dr. Cardew, and Lieutenant Sturt, engineers, were wounded, the latter mortally. This fine young officer had nearly cleared the defile when he received his wound, and would have been left on the ground to be hacked to pieces by the Ghazees, who followed in the rear to complete the work of slaughter, but for the generous intrepidity of Lieutenant Mein, of her Majesty's

13th Light Infantry, who, on learning what had befallen him, went back to his succour, and stood by him for several minutes, at the imminent risk of his own life, vainly entreating aid from the passers by. He was at length joined by Serjeant Deane, of the Sappers, with whose assistance he dragged his friend on a quilt through the remainder of the pass, when he succeeded in mounting him on a miserable pony, and conducted him in safety to the camp, where the unfortunate officer lingered till the following morning, and was the only man of the whole force who received christian burial. Lieutenant Mein was himself at this very time suffering from a dangerous wound in the head received in the previous October, and his heroic disregard of self, and fidelity to his friend in the hour of danger, are well deserving of a record in the annals of British valour and virtue."

It is but just, Sir, that the name of Lieutenant Mein should be mentioned with honour in the House of Commons. I shall not regret having noticed his generous act since it has called forth so general and generous an expression of sympathy towards that brave and good man, for these are the instances (and proud am I to know that there are many of them) of a generous devotion and fidelity displayed by the British soldier when engaged in the arduous service of his country. I am thankful for the attention which the House has paid to me. I do trust that I shall have convinced this House, previously prepared, I am sure to embrace the conviction that all parties concerned in these military operations for the services they rendered to their country, are entitled to the gratitude and thanks of this House. It is impossible to contemplate these services without feeling proud of the British name. When we recollect what was going on in another quarter in that portion of the world, that while we were thus vindicating the honour of the British name in the north-west of India, we were conducting, with consummate skill, at a great sacrifice, and with complete success, military and naval operations in China, it is impossible to contemplate the events in Asia in the year 1842, without being truly proud of the conduct and courage of our countrymen. I am willing to believe that these unquestionable proofs of the military reputation of England—of the United Kingdom—notwithstanding the long interval of peace, stands as high as it did during the excitement of the war, and I would fain hope that the decisive proofs which we have given that our energies and military virtues are unabated, will constitute a great additional guarantee of continued peace. But if they fail doing that, and if in the maintenance of the national interests, or the vindication of the national honour, it shall be necessary to rouse those exertions, and to make them on a more extended scale, then I feel the utmost confidence that these gallant exploits are a proof that every interest of England will be maintained, and that English honour will be vindicated, in whatever quarter of the globe it may be infringed or violated. The right hon. Baronet, in conclusion, moved the following resolutions:—

"That the thanks of this House be given to the right hon. Lord Ellenborough, Governor-general of the British possessions in the East Indies, for the ability and judgment with which the resources of the British empire in India have been applied in the support of the military operations in Affghanistan.

"That the thanks of this House be given to Major-General Sir George Pollock, G.C.B.; to Major-General Sir William Nott, G.C.B.; to Major-General Sir John M'Caskill, K.C.B.; to Major-General Sir Robert Henry Sale; G.C.B.; to Major-General Richard England, and the other officers of the army, both European and Native, for the intrepidity, skill, and perseverance displayed by them in the military operations in Affghanistan, and for their indefatigable zeal and exertions throughout the late campaign.

"That this House doth highly approve and acknowledge the valour and patient perseverance displayed by the non-commissioned officers and private soldiers, both European and Native, employed in Affghanistan, and that the same be signified to them by the commanders of the several corps, who are desired to thank them for their gallant behaviour."

Lord *John Russell:* I am sure it must be a source of the greatest and most general satisfaction, that after the afflicting intelligence of the fearful details and disasters that occurred in Affghanistan, we should now have to rejoice over the success of our arms, and to thank those men who have so gallantly retrieved the honour of this country, and restored the glory of the British name. To all the latter part of the right hon. Gentleman's speech, concerning the military feats of the generals who commanded, and the officers and soldiers who fought under them, there cannot be any other than a feeling of ready sympathy with all that the right hon. Gentleman has expressed. I cheerfully concur with him that those events do shine out more strongly and more brightly after the darkness which the preceding disasters had thrown upon the scene, and do demonstrate the unconquerable merits of this nation. But on this occasion, I should not say on this nation only, because we are about to give thanks to those men who served under the British commanders, and who gloriously vindicated the honour and reputation of the native troops of India. One of the highest testimonies to the valour and spirit of the native troops is to be found in one of those admirable despatches by General Nott, which is the more to be regarded with approbation, because it was not prepared or intended to be eloquent, in which he says,—

> "That whatever may be said of the Affghans being the greatest warriors, give me a 1,000 of well-disciplined Hindoos, and I would be ready to defeat 5,000 Affghans."

I say, therefore, it is not only by British arms, but to the Mahometans and Hindoos who acted under our standard, and in conjunction with the British forces, that we are to-day called upon to give thanks, and express the general gratitude of the country. But, beginning with Sir Robert Sale. After the events which the right hon. Gentleman has detailed—after the difficulties that general had to conquer, especially on the throwing down of the walls of Jellalabad by an earthquake, and after the enemies he had to meet, I readily join in the expression of the highest admiration of that gallant general's exploits. With respect to General Nott, the right hon. Gentleman has so well expressed the feelings of the House, and his own despatches show so well how ready he was to meet the enemy, how prepared he was to obey, however reluctantly, the immediate command to return within the Indus, and how capable he was of re-establishing the honour of the British arms when ordered to advance; I say these things are so directly deserving of universal commendation, and are so well known, that I will not occupy the time of the House by dilating upon them. I mentioned the other night, that with respect to General Pollock I could conceive nothing more deserving of praise and emulation than his conduct, and the perusal of the papers now before the House only confirms the impression I then entertained. That he should have paid immediate attention to all the wants of the soldiers under him—that he should have exercised all care to make the force efficient—and afterwards that he should have conciliated as much as possible those troops whose resistance might be most protracted and difficult to conquer—and that he should take advantage of the peculiar arms which the natives have, to form and strengthen his own troops for the purpose of forcing the passes, that he might relieve General Sale at Jellalabad—that he should have viewed with caution the advantage of pressing forwards—that, in weighing the difficulties to be encountered, he should have shown that he was not a man to run our troops into unnecessary dangers—and that he should after having overcome those difficulties, and encountered those dangers which he had well considered, have reached Cabul—victoriously—that General Pollock should have accomplished all this will place his name equally with the names of General Sale and General Nott, high in the military annals of this country. But, Sir, the resolution placed in your hands refers to an individual having a very different claim to merit, and upon that part of the resolution, and the circumstances upon which it is founded, I feel it my duty to make some observations. Without saying that there is any fault to be attributed to Lord Ellenborough, because the question now is—and I must beg attention to this—not whether we shall agree to any vote of censure upon Lord Ellenborough, but the question is, whether he has done that which entitles him to the thanks of the House of Commons, which have been declared by the Duke of Wellington to be the highest honour a military man can receive from his country. This is a question totally different from any question as to whether he were subject to blame for any part of his conduct. With respect to that point, when one looks at it, the question that occurs to one's mind is, whether Lord Ellenborough had the general direction of these operations. On former occasions when the thanks of the House of Commons have been given to Governors-general, it has happened that the whole war, whether ambitious or defensive, whether a wise or an unwise war, has been undertaken by the Governor-general who has brought together the army, and who has had time to equip them and direct the details. To him, therefore, naturally were due the thanks of the country for the merits of conducting that war. But with respect to Lord Ellenborough, I think the right hon. Gentleman has somewhat over-stated the case, however unwilling I should be to say anything that would take away from that merit which the right hon. Gentleman has attributed to Lord Ellenborough; yet I must consider what is due to the predecessor of Lord Ellenborough, and not give him the praise which I may think belongs to the Governor-general who preceded him. Now, with respect to the force that was to be collected upon hearing of the misfortunes of Cabul, there were two bodies of troops to be collected —the one was the force under General England, and the other was the force collected in Peshawur under General Pollock. With respect to both these bodies, it appears to me that Lord Auckland made the preparations, and directed what was necessary for their equipment. Indeed, I find, with respect to the first of these bodies, General England states, in No. 198, in a letter to Major Outram, dated the 18th of February, 1841:—

> "I propose, at the earliest practicable period in next month, to move the head quarters of this force up the Bolan Pass to Quetta, with the following detachment of the troops now in the low country:—One troop horse artillery, two squadrons 3d Light Cavalry, her Majesty's 41st Regiment, 6th Regiment Native Infantry, 150 Poonah horse."

And in another paragraph, he says:—

> "Thus the force which will be assembled at Quetta very early, I trust, in April, will consist of two squadrons, four battalions, and fourteen guns; and leaving a sufficient body of troops to protect that place, amounting, in fact, to almost its present garrison, I am of opinion that the following detachment may be at once most advantageously employed in opening the communication with Candahar, or in effecting such other operation in aid of that post as circumstances at the moment may suggest."

Therefore, the body which finally enabled General Nott to take the field, was the force of General England, and I do not know that there was any increased number of troops afterwards sent to General England. That force, I am aware, was in the first instance defeated at the Bolan Pass, and it did nor reach Candahar till May. The troops were not increased to force that pass. What General Nott, therefore, was enabled to accomplish, was the consequence of the previous dispositions made by Lord Auckland. With respect to the force under General Pollock all the men and, I believe, all the cavalry, were prepared under the orders of Lord Auckland. This, therefore, is not a case such as has usually been that of the preparation of all the forces having been made under the orders of the Governor-general, to whom the thanks are proposed to be given. There is another view which the right hon. Gentleman has taken as to the orders given by Lord Ellenborough with respect to the employment of these forces. He first stated his opinion with regard to the views of Lord Auckland, and then with regard to the views of Lord Ellenborough; and he afterwards vindicated Lord Ellenborough from the charge that his order of the 19th of April was given unwisely, or without a due consideration of the prospect of success, or otherwise. Now, to throw blame upon the Governor-general at this distance with respect to the operations he may order to be undertaken or not to be undertaken, unless there be the clearest evidence of the greatest number of authorities in support of such an opinion, would be a rash and unwarrantable proceeding of the House. Therefore, I am not going to blame Lord Ellenborough for having, on the 19th of April, directed by an imperative order, that General Nott should absolutely withdraw from Candahar to Quetta. That order was repeated on the 11th of May, the 1st of June, and the 13th of November, 1842. Under all circumstances, and at all those periods, Lord Ellenborough contemplated the withdrawal of General Nott by the straightest road. Therefore the question occurs, not whether Lord Ellenborough was to blame, but how far he is entitled to those thanks usually given to a Governor-general who had directed the operations of a campaign. I own that I cannot see that he has the same claim which other Governors-general have possessed, and what, I think, his claim amounts to is this—that, having arrived in India at a time when a great disaster had befallen our troops, he took a sound and just view originally of the question, and that he took every pains, and used every diligence in his power to forward supplies; but beyond this I find it impossible to go. I do not think that the order of July 4th, giving permission to General Nott to advance, if he should think fit, enables Lord Ellenborough to take an equal share of merit with General Nott. While he permitted General Nott to go forward, he gave him a warning so strong that no one but a man who was sanguine in his temperament, and confident in his resources, would have availed himself of it. If he had adopted Lord Ellenborough's advice, General Nott would have taken the safe course of retiring at once upon the Indus. That the Governor-general gave General Nott the option is admitted on all hands, and it is also admitted that General Nott refused to take advantage of the option. Upon the whole it seems to me, with respect to Lord Ellenborough, that no case has been made out for the thanks of the House of Commons exactly similar to any precedent on its journals. In all previous instances, Governors-general have had a greater share in the transactions; they have either originally projected the military operations, or they have furnished the means, out of the resources of India, for the conduct of the military operations. At the same time, although the motion of thanks to Lord Ellenborough is not precisely in conformity with any precedent, I do not wish to take upon myself the invidious task of giving a negative to the proposition. I have already stated my opinion, founded upon facts as detailed in the papers in this volume, that Lord Ellenborough's merit is merely this:—first, that Lord Auckland having collected all the troops and given orders for the supplies, Lord Ellenborough gave additional orders for additional supplies; and, secondly, that he did not prevent the forward operations against Ghuznee and Cabul, but gave General Nott liberty, if he thought right, to relinquish the attempt. That, as it seems to me, is the whole sum of the merit of Lord Ellenborough. With regard to another point, on which the right hon. Baronet read a letter to the House, stating that I was entirely erroneous in my statement, I can only say that the source from which I received the information induced me to place implicit belief in it. I was told, that although not provided in the Act of Parliament, it had been the custom for all the Legislative Councillors to appear at all the usual councils of the Governor-general; but that without any previous notice Lord Ellenborough desired Mr. Amos to withdraw, and, in fact, ordered him at once out of the room. I believed the story, and if it were true, such conduct would have been extremely insulting to a gentleman of the attainments and character of Mr. Amos. It appears by the letter of Mrs. Amos that the resignation of her husband arose out of no such cause. I was totally misled, for of course whether any thing of the kind had occurred I could not myself know; but I saw so many letters from India stating it, that I could hardly reject their united testimony. To revert to the merits of the Governor-general, I am glad that I have no occasion now to enter further into them. I rejoice most sincerely in the success of our arms in Affghanistan, and I am delighted that the honour of the British arms has been re-established. I hope that these victories will lead to the best results that can be produced by any victories, and that peace will be restored upon the firmest basis. I trust that in Asia we are only beginning to see the good consequences of the invasion of Affghanistan. We have witnessed splendid triumphs in India, and great men, both in civil and military capacities, have been rewarded by the thanks of this House; let us hope that we shall every day behold new proofs of a wise administration of the affairs of that great empire, and that millions of inhabitants in that part of the globe will have reason to rejoice in our rule. While they are struck and awed by the resistless power of our arms, may the natives of India have reason to rejoice in the paternal influence of our Government, and contrast its superiority, as a source of comfort and happiness, with that of the native princes.

Mr. *Bankes* was not surprised that the noble Lord who had just resumed his seat had shrunk from the invidious task of refusing the vote which was now proposed, but he wished that the noble Lord had shrunk also from the task of presenting them with the unnecessary and invidious speech which he had just delivered. The right hon. Baronet had distinctly and sedulously divided the military question from any political considerations, and had carefully guarded the vote he proposed from any excuse for disagreement. He put it to the noble Lord whether the right hon. Baronet had not so guarded the question as to avoid the possibility of dispute in regard to the merits of Lord Ellenborough. In some points these merits might be shared by Lord Auckland; and would not the noble Lord have gladly concurred in such a vote to Lord Auckland, if that Governor-general had continued in India, and the same successes had followed his endeavours and the exertions and valour of our troops? At all events, the noble Lord would hardly venture to dispute that Lord Ellenborough had the merit of not having counteracted the measures of his predecessor, whilst he (Mr. Bankes) in accordance with the sentiments of a vast majority both in that House and out of it was aware that Lord Ellenborough was entitled to the thanks of the House on much higher grounds than those which the noble Lord was pleased to acknowledge. It was not, however, at that time permitted to any hon. Member to introduce other topics than those which had been so ably brought before the House by his right hon. Friend. Every man, let what would be his political opinions, must feel an interest in the glory of the British arms, and in the credit and character of his country; and with that feeling how could he give an unwilling assent to the vote now proposed as some return for successes which had been instrumental in wiping from our annals the recollection of calamities so disastrous, or if recollected, of crowning those recollections with honour. As to the parts so much cavilled at in the conduct of Lord Ellenborough endeavours had been made to impress upon the public mind the notion, that so far from Lord Ellenborough deserving any credit for the late transactions, he had been rather an obstacle than an assistant in those anxious and glorious proceedings. He would venture to say that when the despatches had been read and considered by the public, no portion of Lord Ellenborough's conduct would be viewed with more satisfaction than that which occurred in the month of April. Alarming accounts had then been received, and the Governor-general hesitated to incur what then appeared a rash and hopeless enterprise, though the result of success would have been to gratify his own personal ambition. It was to be observed that within a single fortnight after his arrival in India the powerful mind of Lord Ellenborough had formed the very plan which had ultimately proved successful. In his first letter, of the 15th March, he pointed out the very plan of operations which was finally adopted, and which was the just subject of universal congratulation. Afterwards, this course seemed to be surrounded with new difficulties and dangers, and it was the duty of the Governor-general calmly to weigh them all and to judge from the information he obtained. It was his duty to consider all the circumstances, not only calmly but even sadly, and, when himself in no personal danger, to hesitate before he finally resolved to expose others to serious perils which he could not be permitted to share. Knowing, as he did, the spirit and gallantry of Lord Ellenborough, there is no part of his conduct which he could more admire than this very hesitation; honour and glory were in the prospect and yet he hesitated to pursue them until every risk to which his troops must be exposed had been ascertained. He made himself acquainted with the merits of the officers upon whom he had to rely, and though not originally appointed by himself, he became confident in their skill and courage, and they had proved that they deserved the trust reposed in them. He was anxious to say these few words out of regard for an absent Friend. Looking at his Lordship's despatches, he would say that so far from dissenting from any part of the conduct the noble Lord had pursued. All that the noble Lord had written, did, in his judgment, equal credit to his head and to his heart. He had had the honour to have been officially connected with Lord Ellenborough, and the hon. Member for Northampton, who had spoken on a former night, and had this day given notice of his intention to resume the subject, had done his Lordship but justice when he said that he had left in the Board of Control the clearest and strongest evidence of his laborious and most beneficial attention to the duties of the situation he had filled. It might be presumption in him to add his testimony to that voluntarily given by a political opponent, but he knew the habits of Lord Ellenborough, in regard to his discharge of official duties, and would defy any man who was acquainted with them to arrive at any other conclusion. That was no part of the question on the present occasion, and it was clear that the vote must be carried unanimously. But one opinion would be felt throughout the country; out of doors justice would be done to Lord Ellenborough for directing operations and for furnishing supplies. Neither would that portion of the despatches read that night by the right hon. Baronet pass without its due share of notice and approbation. That portion he meant which showed that the Governor-general was unremitting in his attention to the minutest matters connected with the clothing and the comfort of the soldiery—even in the hour of victory he had not neglected the smallest detail of that nature. Before he sat down he wished to express his satisfaction at the contents of the private letter of Mrs. Amos, affording a complete answer to the attack of the noble Lord (Lord John Russell); it showed with how much caution statements coming from such a distance ought to be received, when, as in this instance, they had led the noble Lord into so gross an error. He had heard with surprise the original charge, because no man could entertain a greater respect than Lord Ellenborough for persons placed in any situation of authority. That noble Lord felt especial admiration for all who had raised themselves to distinction by their abilities and attainments, and even the assertion of the noble Lord had failed to induce him to believe for one moment that Lord Ellenborough had been guilty of such an outrage and insult as had been imputed to him upon a man of high character, situation, and attainments.

Mr. *Hutt* heartily concurred in nearly all that had been said by the right hon. Baronet. No man could read the documents in the hands of Members without arriving at the same conclusion. The conduct of General Sale and the intrepid garrison of Jellalabad—the distinguished fortitude and endurance of the army of Candahar—the spirited successes of General Pollock's division in the field after having forced their way through some of the most tremendous passes in the world—all of them evinced the very highest temper of self-devotion and had well deserved the gratitude of their country. He was also of opinion that Lord Ellenborough merited much credit for the zeal and solicitude with which he applied himself to the supply of the army with the necessary resources of equipment. In these points he fully concurred, and if he thought that the motion involved no other question, he should not have ventured to offer himself to the House. He must, however, be permitted to remark that it was difficult to pass over these subjects without casting his eyes upon a part at which all must look with pain and regret—he referred to the excesses said to have been committed by our troops on the evacuation of Affghanistan. It was not his intention to cast reflections upon any individual. He did not know who authorised those excesses. He could believe that the military commanders were wholly blameless, but he knew that the first duty of a soldier was obedience. In any observations he might feel called upon to make, he intended to single out nobody; but it was a source of great mortification and sorrow to be aware of what occurred under the apparent sanction of the British Government. It was the first time as far as he recollected, that the march of a British army had been marked by wanton and gratuitous havoc. After defeating the enemy, wherever they showed themselves in the field, our troops had pursued the whole people with a warfare so merciless—so poor in its resentment, and so unlike the generous spirit by which British soldiers used to be distinguished in victory—that he could not help thinking some farther information was necessary before the House passed the vote which had been submitted to it. He had the greatest pleasure in believing that General Nott could never have been the direct author of such excesses, because from Candahar he found him writing the humane despatch which had been read by the right hon. Baronet, and which thrilled every heart with pleasure. On the 26th July also, contemplating a retreat, he thus wrote to the Governor-general:

> "I am most anxious, notwithstanding the conduct of the Affghan chiefs, that the army should leave behind it a deep impression on the people of this country of our character for forbearance and humanity."

He asked no pardon of the House for reading a second time a sentiment so truly British, and as highly honourable as victory itself. Impressed with these feelings, General Nott advanced from Candahar, and marched upon Ghuznee; that strong city fell into his hands almost without resistance. It contained about 10,000 inhabitants, it was formerly the seat of the Mahomedan empire in the east, and Mr. Elphinstone recorded that it still retained some relics of its ancient magnificence. On the 8th September, General Nott wrote thus to Lord Ellenborough—

> "I have directed the city of Ghuznee, the citadel, and all the works, to be destroyed."

This ancient city was accordingly set on fire, and the conflagration having lasted for three days, it was reduced to ashes. Three miles from Ghuznee was a celebrated temple, covering the tomb of the Sultan Mahmood, of whom so much had been heard. He was a Mahomedan saint, and his tomb had been respected by the most ferocious conquerors of the east during a period of 800 years. It has now been plundered by a British army, and left in desolation. And the Governor of British India exulted in the fact that "the despoiled tomb of Sultan Mahmood looked down on the ruins of Ghuznee. While General Nott was advancing from Candahar towards Cabul, a detachment of General Pollock's army under General M'Caskill moved northward into Cohistan to destroy the Affghan army posted at Istalif. The city of Istalif was supposed to contain 15,000 souls, and, after a brilliant victory over the Affghans, it fell into the hands of General M'Caskill. On the day after he entered it that officer wrote thus to head-quarters:

> "I have directed the town to be set on fire in several places, after taking out of it various supplies which might be useful, and the demolition is proceeding under the direction of Major Sanders."

On the 25th of October the Governor-general had reproached Ackbar Khan with making war upon women; and a foul reproach it was to any man who deserved it. But he would like to know by whose authority 15,000 human beings, inhabitants of Istalif—men, women and children were driven from the smoking desolation of their homes, to pass a winter scarcely less severe than that at Moscow, on the snowy mountains of the Hindoo Koosh. From Istalif General M'Caskill proceeded to Chareekar, and of what he had done there the House was not officially informed; but in the Indian papers it was said that he had razed it to the ground. In the beginning of September the armies were assembled at Cabul. Cabul was the capital of Affghanistan, the history of which was familiar to many readers, from the description given of it by Sir Alexander Burnes. He described it as a bustling and populous town, in which the noise of the multitude in the streets scarcely permitted one to hear. It contained a beautiful bazaar, an elegant arcade, and lamps stuck in the front of the shops, gave it a nightly appearance of illumination. It was compactly built, and contained a population of 60,000 persons. Such was Cabul when Sir Alexander Burnes was there. On the 6th of October General Pollock wrote,

> "Previous to my departure from Cabul I destroyed with gunpowder the grand bazaar of that city, called Chahain Chuttah, built in the reign of Aurungzebe, by the celebrated Ali Murdan Khan, and which may be considered to be the most frequented part of Cabul, and known as the grand emporium of this part of Central Asia. The remains of the late Envoy and Minister had been exposed to public insult in this bazaar, and my motive in effecting its destruction has been to impress upon the Affghans that their atrocious conduct towards a British functionary has not been suffered to pass with impunity. A mosque also at the end of one of the bazaars, and another near the cantonments, filled with venetians, otherwise ornamented with European materials, and designated as the Feringhee Mosque, to commemorate the events of last year, has likewise been destroyed."

The bazaar of Cabul was the single monument in that part of the east dedicated to commerce and the arts of peace. The people, in general, were devoted to war. To have destroyed the citadel, which, however, had been spared, would have seemed a legitimate act of retaliation, but was there any justification of this destruction of the shops and workhouses and market places of Cabul. He did not mean that the British troops had received no provocation; certainly they had received much, but this wholesale retribution was always ignoble and generally unjust. The principal sufferers had been the Hindoo merchants, who ought to have relied upon us for protection. Their pursuits were those of commerce, and they had had no more to do with the atrocious murder of Sir William M'Naughten, thus visited upon them, than the Gentlemen he was addressing. Besides the city, the British troops laid waste all the gardens, orchards, and cultivated ground near Cabul, the source of great profit, and the subject of much praise in Oriental literature. Having burnt the capital, ravaged the country, and destroyed village after village, the army approached Jellalabad; the inhabitants of that city had done no injury, had offered no insult, and ought to have incurred no revenge. Our army had been received and treated there with kindness. It contained little less than ten thousand inhabitants, and it was situated in one of the most beautiful valleys of Central Asia. When our army quitted it, it was a heap of ruins. The account of its destruction was not contained in the papers before the House: why it was excluded, he knew not; but in an Indian newspaper he found it stated, that the work of destruction commenced on the 24th, and finished on the next day: the principal bastions had been blown up—the city was fired in several places—and when the informant wrote, Jellalabad was only the abode for jackalls. Few places of the east possessed more features of interest for travellers than the valley of the Cabul river when our army left it, but the whole of the beautiful valley had been reduced to a scene of blackness, ashes, and misery. Those who had gone through the volume in his hands could hardly have failed to make an observation—viz., that although the present Governor-general was on all occasions willing to show up the conduct of his predecessor, and to prove to the millions of our subjects in the East Indies, for three or four years past, that they had been the victims of bad Government, nevertheless, upon two points he cordially coincided in opinion with Lord Auckland; he thought it highly desirable to place a friendly power on the north-west frontier. Lord Ellenborough also professed to concur with Lord Auckland in the importance of extending our commercial relations with the nations west of the Indus. We adopted a singular course for carrying this policy into effect, had evinced this spirit in a most extraordinary manner. We had infuriated the people with whom we were to trade, and had rendered them willing to form alliances with anybody against us, and foster intrigue in any quarter, that promised to gratify their thirst of vengeance. We might therefore relinquish all hope of advantages from opening the Indus to our trade; we had destroyed every town which could afford us a market, and centuries would elapse before Affghanistan recovered from the misery and desolation in which it had been plunged. Lord Ellenborough remarked that that people must be left to the anarchy, which was the consequence of their crimes; he (Mr. Hutt) should like to be informed who was responsible for the state of abject and hopeless misery to which Affghanistan had been reduced? The right hon. Baronet the First Lord of the Treasury, when replying a few days ago to the hon. Baronet the Member for the University of Oxford, stated a fact with respect to the Governor-general of India which could only be known to the private Friends of that noble Lord. It related to the noble Lord's habitual religious feelings. The right hon. Gentleman, with a degree of justice and propriety which the House could not fail to estimate, appealed from those circumstances which might appear to have accused the Governor-general of something like a departure from the faith of this country, to the well-known practical instances of his devout and religious life. He was exceedingly glad to hear such a character given of the Governor-general. He delighted in the fact, that, however unfit in other respects he might deem Lord Ellenborough to represent her Majesty in India, that at all events his personal conduct held out to the people of that country such strong recommendations to the national faith of England. He only wished he could have traced, when there had occurred so many opportunities in the midst of the warfare and destruction which was going on, some record of the disapprobation of the Governor-general some expression of mercy more worthy of the religion he professed and the country which he represented.

Sir *H. Hardinge* rose with regret on the present occasion, because he had hoped that the statement of the right hon. Baronet would have been sufficiently satisfactory to the House. But after what had fallen from the hon. Member, he felt it his duty to make a few observations in reply. The hon. Member complained of the inhumanity and excesses of the troops on their retreat from Affghanistan. He did not credit the reports of those excesses. He was convinced, that many of them were not borne out by truth. The hon. Gentleman would find, that some months ago, when it became necessary for General Nott, with a view to the safety of the troops at Candahar, to turn out a considerable number of the inhabitants, the Indian press indulged in the most libellous attacks upon that gallant officer, and accused him of having committed the most extravagant excesses and cruelties upon the unfortunate inhabitants of that town. Now, the reports which had since been received from General Nott's army, proved distinctly that there was not a word of truth in that accusation. But at present there was this difficulty to be contended with, that as yet that gallant army accused of so many excesses, had not had time to reply, and they were, therefore, without the means of arriving at the real truth. Although these accusations came, in a great degree, from the press of India, he should be sorry to stigmatise the whole of that press as libellous; but certainly the statements he had seen of what was called the inhumanity of the troops in India he knew to be utterly false. The hon. Member stated that General Nott had committed some of these excesses, and that Ghuznee had been levelled to the ground. Now, he must observe, that when a victorious army was marching over a country wherein its policy was to destroy the fortifications, it was very difficult to distinguish between what might be fortifications and what private property, more particularly in a country where so many of the houses contained loopholes and bore so much the appearance of fortresses. He would venture to assert, from what he had seen of General Nott's correspondence, that when that gallant officer heard of those accusations, he would be able to give them, in the same clear and straightforward manner which distinguished his correspondence, the most satisfactory contradiction. The hon. Gentleman had stated, that our troops at Istalif had committed the most unjustifiable excess. Now, he hoped he might be permitted to point out what appeared to him to be the state of the case respecting Istalif. Istalif was about four marches from Cabul, but might in an emergency be reached by cavalry in two marches. Our forces outside Cabul were, therefore, liable to an attack, after two or three days' march from Istalif. Now, at Istalif, there were not only the usual inhabitants of the town, but a great number of other persons collected around it; and when it was thought necessary to order General M'Caskill to march to and attack Istalif, it was well known, that the chiefs of Ghilzie, one of whom was implicated in the murder of Sir Alexander Burnes, were there. There was also there a large military force, consisting of 14,000 or 15,000 men, and not, as the hon. Member described, that number of peaceful inhabitants, for, in point of fact, Istalif did not contain that number of inhabitants, but a large military force determined to inflict upon our soldiery all the injury and evils within their power. Under these circumstances it was, that General Pollock ordered General M'Caskill to Istalif, and that gallant officer, with that promptitude and skill, which, in his opinion, that gallant officer had displayed throughout the whole of these operations, attacked Istalif by storm and with success. A great number of persons who had fled to Istalif from Cabul and other places, confiding in the strength of the town took refuge, in the midst of the attack, in its strongest points. He had, therefore, no hesitation in saying, that it would neither have been prudent nor wise on the part of our troops, numbering, as they did, but 4,000, and opposed as they were to a force of 14,000, to have ceased firing upon getting into the town. Indeed, many of our troops, and amongst them Lieutenant Evans, had been killed in the town. He, therefore said, that in these eastern towns, where almost every house was in itself a fortress, you could not, when it became necessary to throw down the works of a town, make those distinctions which were commonly made in Europe. The hon. Member spoke of the cruelty of turning out the women in the snow—at a time when there was no snow—but, setting that aside, there were at the period of this attack at the end of the town 500 women, a large portion of whom had come from Cabul, and who were completely at the mercy of our troops. But what was the conduct of our troops towards them? Did they retaliate? Did they commit those excesses of which the hon. Gentleman complained? No. We had it not only from General M'Caskill's report, but from the libellers of the Indian press themselves, that the conduct of our troops on that occasion was most exemplary, and that not a single woman had been either hurt or insulted by them. Some of the Indian papers, however, in admitting that General M'Caskill behaved well towards the females, accused him of having cruelly destroyed the town and some of its male inhabitants. Now, when he recollected that amongst the Affghans there was no such thing as capitulation, and that they never took or gave quarter, he did think General M'Caskill had acted improperly in allowing our troops to destroy the town. Before the arrival of the last mail the idea certainly was that great excesses had been committed at Istalif; but what said General M'Caskill? In his despatch of October 6, he stated—

> "My commendations have been specially earned by Major G. Browne and her Majesty's 41st regiment, for the share they took in these gallant efforts (now mark this), and for the exemplary humanity displayed by the men towards the unfortunate families of the vanquished."

He thought it impossible for any one after hearing that passage not to believe that our troops conducted themselves on the occasion, not as represented by the hon. Gentleman in an atrocious manner, but in a manner becoming the character of British soldiers. The hon. Gentleman also complained that excesses had been committed at Cabul. He must be permitted to remark to the hon. Gentleman and the House, that when General Pollock's army were ordered to march from Jellalabad to Cabul, they had not only to cross the difficult passes of Jugdulluk and Gundamuk, but to pass over in their march the bodies of several hundreds of their companions, most of them in a state of decomposition, but some of them still so little altered as to have been recognized by their friends. Captain Hamilton was one of those who was recognized by some of his brother officers, and amongst them were the bodies of Sepoys as well as British soldiers. It would not be very surprising, then, if upon that occasion the strongest passions of our nature had been excited in those troops. But was it so? Did they commit those excesses of which they were accused? No. He happened to know by an accidental statement, not in the papers before the House, that General Pollock, in forcing those passes, on the 13th and 14th of September, took every measure in his power, and successfully, to prevent the excesses of which the hon. Member, in his opinion, unjustly complained; that on arriving at the camp before Cabul he called upon the officer in command to issue to the men and the camp-followers the strongest orders not to interfere with the inhabitants of Cabul, or offer any injury to the city itself; and that on the 15th of September the General commanding ordered, that neither officers, soldiers, nor camp-followers, be permitted to enter the city until further orders. Now, that these orders were fulfilled, he had a right to assume, because he found it stated in the papers before the House, that on the 21st of September the inhabitants of Cabul had returned to their usual occupations. It was also stated, that on the21st abundance reigned in the camp, and coupling that circumstance with the issuing of orders not to commit excesses he thought he might assume the fact that no such excesses had been committed. With reference to the burning of the bazaar, he agreed with the hon. Member that it was not only a better policy, but in every respect more desirable, that retaliation should be avoided, or at least limited to works of a military character. He must, however, be permitted to point out that this very bazaar was adjoining the mosque at the door of which was placed the mutilated body of our unfortunate envoy, in order that it might be spit upon by every Mussulman who passed, and subjected to every species of indignity. General Pollock abstained from taking away the lives of the inhabitants, although, in the opinion of some persons in India who were not military, public feeling ought to have been appeased by some such example. He could show by a letter from one of the highest authorities in India, a man of the greatest ability, to General Pollock, that such an opinion prevailed. It was stated in that letter, that if an impression were to be made in favour of the Indian army, or if it were to be proved that they had retrieved all their disasters, it was necessary to destroy the town of Cabul. General Pollock, however, limited himself to the narrowest degree of retaliation—the destruction of the bazaar and mosque. It should be remarked, that that was not the usual mosque, and had been fitted up with all the plunder and insignia of our army, in commemoration of the triumph of our enemies over us. He thought, that General Pollock could not help destroying that mosque; and that considering the scenes of horror which our troops had witnessed, there had been on the whole as little retaliation as possible. A severe censure had been passed upon the Governor-general for not having taken all the pains he might to prevent these excesses. But see what Lord Auckland said in speaking of the Affghans:—

> "A faithless enemy, stained by the foul crime of assassination, has, through a failure of supplies, followed by consummate treachery, been able to overcome a body of British troops, in a country removed by distance and difficulties of season from the possibility of succour. But the Governor-general in Council, while he most deeply laments the loss of the brave officers and men, regards this partial reverse only as new occasion for displaying the British power, and the admirable spirit and valour of the British Indian army."

This notification from the Governor of India was circulated amongst the officers, and read at the head of every regiment. It was, therefore, too much to expect, considering the situation of the troops, that some excesses, such as the destruction of the bazaar, would not have been committed; but the heavy charges which the hon. Gentleman brought against our Indian troops of excesses alleged to have been committed in Istalif, Candahar, and

Cabul, he did not believe or credit. What was Lord Ellenborough's recommendation? Did he hold out any excitement to such excesses as had been described by the hon. Member? Certainly not. In page 336 of the papers he stated:—

> "You will, as long as the season permit you to remain with perfect security, rely upon your own force, and upon that alone, for the effecting of your objects, and exert that force vigorously, giving every proof of British power which is not inconsistent with the usages of war, and the dictates of British humanity; but you will never forget that, after so exhibiting that power, you are, without allowing yourself to be diverted therefrom by any object, to obey the positive orders of your Government to withdraw your army from Affghanistan."

That was followed up by another despatch, in which he expressed to the generals commanding, his hope that throughout the campaign their actions would be free from everything which could in any degree impeach the character of the army for humanity. The excesses complained of were not confirmed by the official reports, and he therefore hoped on an occasion like the present the House would carefully abstain from countenancing them as matters of fact. Of Lord Ellenborough, he entertained the highest opinion. His despatches alone, he thought, proved him to be a man of very great ability, and he was sanguine enough to hope, that every dispassionate person would be found to admit, that throughout those military operations, his Lordship had evinced great judgment and good sense. If the hon. Gentleman opposite or other hon. Gentlemen chose to read passages from those papers, with the view to fix upon Lord Ellenborough the character of pusillanimity in ordering the withdrawal of our troops from Affghanistan, he thought he could find extracts from despatches of Lord Auckland, in which an apparent feeling of pusillanimity might also be discovered. In his opinion, however, it would be much better to consider whether our generals and troops had not conducted themselves in a gallant manner. He believed that they had, not only in a gallant, but he hoped he might add, in an irreproachable manner. Indeed, since the establishment of a British army in India, he knew of no occasion on which he believed them to be more deserving of the thanks of that House.

Sir *T. E. Colebrooke* had listened with great attention to the charges which had been made against the Indian army. On more than one occasion the subject had been noticed in the House, and he thought the right hon. Gentleman at the head of the Government had exercised a sound discretion in not giving a decided reply to the inquiries which had been made. The charges were so very vague, there was such an absence of statement as to time and place, that it was impossible to fix the charges so as to give them a positive contradiction. As to despoiling the tomb of the Sultan Mahmood, at Ghuznee, the blame, if any, was not attributable to General Nott or the troops; it was done by the express order of the Governor-general, who in his despatch of the 4th of July to General Nott, told him—

> "You will bring away from the tomb of Mahmood, of Ghuznee, his club, which hangs over it, and you will bring away the gates of his tomb, which are the gates of the temple of Somnauth. These will be the just trophies of your successful march."

With respect to Cabul, although the hon. Member had quoted an anonymous letter to the contrary, it was, he believed, the proper construction of the reports that the destruction was confined to the bazaar, and to one or two houses. As to the reports of the excesses in the destruction of Istalif, they had received all the contradiction which was required. With regard to the general vote, he rejoiced that it did not call for any difference of opinion; and to the motion, in the terms in which it was made, he cordially assented.

Sir *R. H. Inglis* said, that as he was almost the only person on that side of the House who had expressed any disapprobation of the other parts of the Governor-general's conduct, he trusted the House would allow him to take this opportunity of expressing his entire concurrence in this vote of thanks, not only as it applied to the gallant military officers engaged in the operation, but the Governor-general himself. He was only anxious further to call the attention of his gallant Friend to the conduct of the troops at Istalif and the treatment of the women. At page 413, it was said, that—

> "The enemy were driven from thence, and pursued with a rapidity which left no time to rally; and a singular spectacle was then presented, in the escape up the mountain side of the children and women from the place, to which no interruption was offered."

This was in strict conformity with the general instructions of Lord Ellenborough, that the conduct of the troops throughout should be such as troops should observe in a friendly country, taking the same precautions as an army in a hostile country; and they were elsewhere told that they were to

> "Leave decisive proofs of the power of the British army, without impeaching its humanity."

These orders did as much credit to the justice as to the humanity of the Governor-general; and he cordially concurred in the vote as limited by the words of this motion.

Mr. *Hume* was not sorry that the hon. Member for Gateshead had brought forward this topic, because it had called forth the expressions from the gallant General opposite. Although he (Mr. Hume) had heard many statements relating to Istalif, this would not have been a place to which he would himself have referred. He thought that even greater excesses might have been expected under the circumstances. This was not a part to which he would have objected. There was, however, one thing for which he was undoubtedly sorry, and that was the destruction of the commercial bazaar at Cabul. When he read the despatch of Lord Ellenborough, declaring that he was anxious to leave as few marks of revenge and retaliation as possible, it did appear strange that after our troops had invited the natives into the town, when the town was full, and supplies readily brought in, we should have destroyed the bazaar. Still it was done by the proper officer, sent in for the express purpose by the proper party. He was informed that notice had been given to the individuals who inhabited the bazaar that it was to be destroyed; and, except a few Hindoos, who did not believe that we should have destroyed it, no one was injured. Still, he thought it important that they should have some further explanation. As to the other excesses, the House had so little information concerning them, that at present nothing more could be said. With respect to the troops, he would be happy to concur in any testimony the House could offer. Any one who had read the despatches must be satisfied that no troops ever endured more hardships—no troops had ever shown more devotedness to the service, or had seen their exertions attended with more success, looking at the disadvantages under which they laboured. It did not appear from these papers that he would be warranted in giving to Lord Ellenborough the same meed of praise. The gallant General had referred to a notification of the late Governor-general (Lord Auckland), dated from Fort William on the 31st January, 1842, and he wished that the gallant General had quoted the whole of that notification. The late Governor-general there said:—

> "Intelligence having been received which leaves no room to doubt that, after the British force at Cabul had maintained its position against overpowering numbers of insurgents for more than six weeks, the officer commanding had judged it necessary, in consequence of a failure of provisions, to agree to a convention of the enemy, and to retire, in reliance on the faith of that convention, towards Jellalabad, when the troops, exposed to the worst rigours of cold and privation in the mountain defiles, and harrassed by treacherous attacks suffered extreme disaster — the Governor-general in Council deems it proper to notify, that the most active measures have been adopted, and will be steadfastly prosecuted, for expediting powerful reinforcements to the Affghan frontier, and for assisting such operations as may be required in that quarter for the maintenance of the honour and interest of the British Government. The ample military means at the disposal of the British Government will be strenuously applied to these objects, so as at once to support external operations, and to ensure efficient protection to its subjects and allies. A faithless enemy, stained by the foul crime of assassination, has, through a failure of supplies followed by consummate treachery, been able to overcome a body of British troops, in a country removed by distance and difficulties of season, from the possibility of succour. But the Governor-general in council, while he most deeply laments the loss of the brave officers and men, regards this partial reverse only as a new occasion for displaying the stability and vigour of the British power, and the admirable spirit and valour of the British Indian army."

He did not think that the same care and zeal which had been here manifested by Lord Auckland had been carried out by Lord Ellenborough. He thought that from the moment Lord Ellenborough left Calcutta and withdrew from the council, a great part of his proceedings were to be deprecated. Lord Ellenborough left alone, had conducted himself in such a manner and many of his acts when communicated to the council, seemed so extraordinary, that they excited not surprise alone, but regret. It appeared to him to be a bad practice to allow the Governor-general so to withdraw himself from the Council. If hon. Members read the despatches, they would find, that as soon as the Governor-general left Calcutta, he determined to withdraw the troops forthwith. The reinforcements prepared by his predecessor were on the way, yet they found the Governor-general writing from Allahabad and from every place to Sir Jasper Nicolls ordering the recall of the troops. He was writing notes to General Pollock in a manner so decided, that there could be no mistake and was to be no delay. In March, April, May, and even down to the 14th of May Lord Ellenborough went on repeating, in the most extraordinary manner, the orders to withdraw. He gave his orders secretly, but urged them decisively, so that no doubt could be left upon the matter, and the officers could have no option. He felt for the difficulty in which Generals Nott and Pollock were placed when they received those orders, and were telling the Governor-general and Sir Jasper Nicolls, that if they withdrew, their army would be destroyed. Then there was a gap in the despatches, and all at once these officers instead of marching their troops back to India, contrary to the orders of Lord Ellenborough, and contrary to the orders of Sir Jasper Nicolls, were found marching to Cabul. The Generals had always hitherto obeyed the orders given them, and he could not understand how it was, that all at once they disobeyed those orders and marched, the one from Candahar, and the other from Jellalabad, on to Cabul. In the despatches there was a very curious paper. The Governor-general said, he would not forward the despatches written to General Nott, to General Pollock, and to Major Outram. He did not enclose them, and so they did not appear. It seemed that some orders had been sent. He, therefore, thought that Lord Ellenborough did not deserve any credit for the success which attended the subsequent transactions; on the contrary, it appeared that the success was achieved contrary to the orders, as well as the wishes, of the noble Lord. He believed that the history of the case was this. Lord Auckland had given orders to push forward to succour the troops coming from Cabul; but he had said, if the disaster was so complete as to expel the British forces from the territory in which they then were, the Commander-in-chief should abstain from advancing a new army without fresh orders. What was the course adopted by Lord Ellenborough? He determined on an immediate evacuation; and in the *Blue Book*, which had been laid on the Table of the House, he had reckoned no fewer than nineteen orders by Lord Ellenborough for the withdrawal of the army. The last of the despatches was dated on the 14th of May; but on the 25th of the same month orders were received by him from England dated the 4th of April, in which were contained not only orders to advance, but positive directions as to the plan to be adopted. If these were facts on which the House could depend—and they could not be doubted—what merit, he asked, could Lord Ellenborough claim? He did not deny the heavy weight of responsibility which rested on that noble Lord; that, in the position in which he stood, the greatest prudence was necessary to be observed; but if the noble Lord had consented to be guided by the advice of his Council (and he complained that he had altogether separated himself from them), and had looked to the minutes of Lord Auckland, he believed that he would have adopted a different course to that which he had pursued. His present complaint was, that all the documents necessary for the full consideration of the present vote of thanks to Lord Ellenborough were not before the House. He begged to refer the House to a despatch from Lord Ellenborough to the secret committee, dated July, 1842. He said in that despatch—

> "I send herewith copies of letters addressed by me to Major-general Nott, to Major-general Pollock, to Major Outram, and to the Governor of Bombay, and of a memorandum for Major-general Sir Charles Napier. All these documents I have deemed it necessary to withhold, for the present, from the records of the offices here, on account of the absolute necessity of preserving secrecy in the important matter to which they refer. They will be placed upon the records as soon as Major-general Nott's decision shall be known. My letter to Major-general Nott so fully explains the grounds upon which I have ventured to afford him an option as to the line of his retirement upon the Indus, that I deem it unnecessary to do more than refer you to the document itself, for an explanation of my views upon the subject."

The papers which were alluded to in this letter were not before the House. He did not mean to deny that Lord Ellenborough might be entitled to the thanks of the House; but, in his opinion, until these papers were produced, those thanks could not fairly be given. What he proposed therefore was, that the consideration of the vote of thanks, so far as Lord Ellenborough was concerned, should for the present be deferred. He believed that for the House to bestow ill-judged and indiscriminate praise, would be to render the vote of thanks, to those who really deserved it, perfectly valueless. In England a different view, perhaps, might be taken; but in India, where the noble Lord's claims to the gratitude of his country were appreciated, he believed that nine out of ten would agree that he was not entitled to the thanks were proposed. The hon. Member concluded by moving, as an amendment to the original motion,

> "That the consideration of the thanks of this House to the right hon. Lord Ellenborough, Governor-general of India, be deferred until all the documents, consisting of letters addressed to Major-general Nott, Major-general Pollock, to Major Outram, and to the Governor of Bombay; and of a memorandum for Major-general Sir C. Napier, alluded to in the letter of July 8, addressed to the Secret Committee of the Court of Directors, and which have been withheld, shall be laid before this House, to enable the House to judge why, after repeated positive orders issued by Lord Ellenborough to Sir Jasper Nicholls and Major-general Nott, and Major-general Pollock to withdraw all their forces from Cabul towards the Company's possessions, those generals actually advanced their forces, and by their gallant conduct and brilliant successes, vindicated the character of the British arms in the scene of their former disasters."

Mr. *W. Williams* seconded the amendment.

Mr. *Bingham Baring* thought that he should be able to satisfy the hon. Member that the papers to which he alluded had been produced, and were now published with the rest of the despatches. In page 327 of the *Blue Book*, was a letter from the Governor-general to Major-general Nott, in which he authorised him to advance, and, not only so, but gave him full instructions as to the conduct which he was to pursue in the course of his progress. He said—

> "I have now reason to suppose, for the first time, that you have the means of moving a very large proportion of your army, with ample equipment for any service. Nothing has occurred to induce me to change my first opinion, that the measure, commanded by considerations of political and military prudence, is to bring back the armies now in Affghanistan at the earliest period at which their retirement can be effected consistently with the health and efficiency of the troops, into positions wherein they may have easy and certain communication with India; and to this extent the instructions you have received remain unaltered. But the improved position of your army, with sufficient means of carriage for as large a force as it is necessary to move in Affghanistan, induces me now to leave to your option the line by which you shall withdraw your troops from that country. . . . .

But Lord Ellenborough impressed upon the General's mind, "that it must be a successful march."

> "You will recollect the Governor-general said that what you will have to make is, a successful march: that that march must not be delayed by any hazardous operations against Ghuznee or Cabul; that you should carefully calculate the time required to enable you to reach Jellallabad in the first week in October, so as to form the rear-guard of Major-general Pollock's army. If you should be enabled by a *coup-de-main* to get possession of Ghuznee and Cabul, you will act as you see fit, and leave decisive proof of the power of the British army, without impeaching its humanity."

There were many further and frequent directions given; which at least was a decisive proof of the prudence and foresight and anxiety of the Governor-general. Again, on July 23, as the hon. Member would find at page 334, the very same permission and directions were given by the Governor-general to General Pollock as he had before given to General Nott. The hon. Member for Montrose said the difference in the plans of the Governor-general was accounted for by orders from home, and not from his own conviction of its prudence or necessity. He could assure the hon. Member and the House that no such directions or instructions had ever been sent.

Viscount *Ebrington* had not intended to take any part in the debate; but when he heard the hon. Gentleman laud the despatch which he had read, he could not say, that in his mind it contained any directions; it was permissory merely, and even the permission given was a shabby one. The despatch in his opinion was a shabby despatch, and the permission given to General Nott to use his own discretion in respect to advancing was given in terms the effect of which would be to throw on that officer the whole responsibility of the movement, and to relieve the Governor-general from all participation in that responsibility. The plan appeared to have been suggested to the noble Lord by General Nott himself, and to have been very reluctantly acquiesced in by the Governor-general. In a letter of the 4th of July, written before the despatch alluded to by the hon. Gentleman opposite, it would seem Mr. Maddocks wrote as follows to Major-general Pollock:—

> "It has given great satisfaction to the Governor-general to learn, from your letter of the 14th ultimo, that you have sufficient means of movement to be enabled to act upon the suggestions contained in my letter of the 1st ultimo. You will not have mistaken the object of that letter, which was merely to suggest that, as far as your means of movement allowed, you should make your strength felt by the enemy during the period of your necessary detention in the valley of the Cabul river. No change has, from the first, taken place in the Governor-general's views of the expediency of withdrawing your army at the earliest period consistent with the health and efficiency of the troops, that is, as is now understood, in the beginning of October."

On referring to the letter of the 1st of June, which was alluded to, the following passages were found:—

> "It would be desirable, undoubtedly, that before finally quitting Affghanistan you should have an opportunity of striking a blow at the enemy; and since circumstances seem to compel you to remain there till October, the Governor-general earnestly hopes that you may be enabled to draw the enemy into a position in which you may strike such a blow effectually. You have already full powers to do everything you may deem necessary for the comfort of your troops, and for their efficiency."

The Governor-general it was true, spoke of the "necessary detention in the valley;" but what did that mean; not a detention for the purposes of an advance; no, it was to be a detention "consistent with the efficiency of the troops;" not at all consistent with the march upon Cabul. Again, the Governor-general spoke of "a retirement by Ghuznee and Cabul:" these were the words of the Governor-general when addressing his generals; yet all his friends chose to speak of it as an advance upon those places? He was not desirous of voting with the hon. Member for Montrose, because the words of the motion proposed by her Majesty's Government were so strictly limited to thanking Lord Ellenborough for his exertions in supplying the army with waggons and with beasts to allow them to move forward—that he had no objection to award him thanks as a good commissary-general.

Mr. *Hogg* supposed that the hon. Member for Montrose would now withdraw his amendment—[Mr. *Hume*: Not at all.] Then he (Mr. Hogg) had given the hon. Member credit for more discretion than it appeared he deserved. The hon. Member founded his amendment on the supposed omission of three documents. These documents had been pointed out to him in the book in his hands, and he was probably at that moment in the act of perusing them, yet still he persisted in his amendment. After the course pursued by the right hon. Baronet at the head of the Government, and by the noble Lord opposite, and which he believed was in entire accordance with the practice usually adopted on such occasions, he must express his surprise and regret at the desultory debate which had sprung up, in which hon. Members had quoted bits and scraps from various orders which were only calculated to mislead when the dates and circumstances under which they issued were not fully considered. The friends of Lord Ellenborough could not fail to feel how fully he must be entitled to the thanks of this House and of his country, when there was manifested by hon. Gentlemen opposite, such a disposition to withhold them, if a sense of justice did not compel them to award them. He would not institute any comparison between the orders issued by Lord Auckland and Lord Ellenborough; he believed that both noble Lords were actuated solely by a sense of public duty; both by an anxious desire to advance the public weal; and if, after the disasters which had occurred in Affghanistan, Lord Auckland had deemed it right to withdraw our troops from that country, it redounded the more to his honour, connected as he was with the policy which dictated the war, to sink all considerations of self, and to think only of the good of his country. He wished to be distinctly understood, as imputing no blame whatever to Lord Auckland; but he stated what was only the fact when he said that, when Lord Ellenborough reached India,, there was no intention on the part of the existing Government to advance again into Affghanistan. He thought that no man who had read the Blue Book could contradict that statement, but if necessary, he was prepared to substantiate it, by reference to the orders up to the very period of Lord Auckland's departure. He would, however, refer to one document which was conclusive on the subject.. In a letter from the commander-in-chief to the Governor-general, bearing date the 24th January, he says,

> "Reading your instructions literally, especially those of the 3d December and 6th January, I have not commenced any preparation for a renewal of the contest."

Thus shewing, as he had already stated, that up to the arrival of Lord Ellenborough, no preparation had even been commenced for an advance to Cabul. Lord Ellenborough arrived in Calcutta the end of February, and what was the policy indicated in his first letter to the Commander-in-chief, dated 15th March. It was to provide for the safety of our troops, to obtain the release of the prisoners, and to retrieve our military reputation, by the infliction of some signal and decisive blow upon the Affghans. In this very letter he speaks of General Pollock's advance to Cabul, and dwells upon the advantages that would be derived from the re-occupation of that city, even for a week. He insists most strongly on the necessity of having our army adequately equipped, and adds that wherever our operations may be, whether beyond or within the Indus, our safety and success must depend on the knowledge,

> "That we possess an army perfect in its equipment, possessed of all the means of movement, and so secure in its communications with the country from which its supplies and its reinforcements are drawn, as to be able at any time, to act with vigour and effect against any enemy."

With regard to the force under General Nott, he directs, under date the 19th March, that it may be rendered efficient and "capable of executing every movement and enterprize which can be required from an army in the field." Now the word "movement" may be said to apply to a retreat as well as an advance; but the words "Military enterprize" could bear only one meaning, and clearly showed that the object of the Governor-general was an advance of the troops from Candahar for the relief of Ghuznee. Such was the policy, and such the orders of Lord Ellenborough shortly after his arrival in Calcutta, and he would now call the attention of the House to the orders of the 19th April, which had been so severely animadverted upon. He admitted that these orders were positive and distinct, for the withdrawal of our troops; but under what circumstances were they issued? Ghuznee had fallen. General England, with his first division, had failed in forcing the Khojuk Pass. The news of his disaster would encourage the savage tribes to assail his second division, then about to enter the frightful defiles of the Bolan Pass; thus perilling the existence of his whole army. The great object of retaining Candahar was to secure the safety of the garrison of Ghuznee, but Ghuznee had capitulated—it was gone—and, therefore, the main reason for keeping possession of Candahar no longer existed. Look to the despatch of Lord Ellenborough to the secret committee of the 17th May, and you will see that when he heard of General England's disaster, he trembled for the safety of his whole army. What then were Lord Ellenborough's instructions, written under such accumulated disasters, that reached him almost simultaneously? He desires General Nott to secure the safety of his army by retiring to Quetta, and eventually to Sukkur. Be it remembered that Lord Ellenborough had not then heard of General Pollock's having effected a junction with General Sale, and what are the orders which he issues to him? He did not tell him to retire; on the contrary, he ordered him to retain possession of Jellalabad as likely to facilitate the negotiations for the release of the prisoners. He wrote on the very same day to the commander-in-chief, desiring a personal interview, that they might arrange as to future aggressive movements, and referring to the withdrawal of our troops, he adds his hope that it may not be "without the infliction of some severe blow upon the Affghan army." Was there, under these trying circumstances, any want of energy and vigour, if it be fit that these qualities be combined with caution and discretion? Much stress had been laid upon the number of our troops in Affghanistan; why, in that lay their actual weakness; without guns, without ammunition, without the means of carriage, and almost without food, in their numbers consisted their weakness. What are we told by General Wyld who commanded the first division that advanced for the relief of Jellalabad? He reports to General Lumley, that to force the pass would require, at least, six guns, and some cavalry; and that he is totally destitute of both, that he has a company of artillery, but no guns; that he is without carriage, except a few camels to carry the Sepoys' baggage; that there is no commissariat officer to provide what is required, and not even a responsible European; and will the House believe that the British army, assembled to relieve that gallant band under General Sale, were compelled to borrow two guns from the government of the Sikhs. Can it be wondered, then, that General Wyld failed in his object, and was compelled to abandon the important fortress of Ali Musjid? The first object of Lord Ellenborough on assuming the Government, was to put the army in an efficient state of equipment, and fit for any service on which they might be ordered—to retreat if necessary,—to advance, if practicable. "Commissary General" as the noble Lord opposite (Lord Ebrington) had called him! He had the honour of knowing Lord Ellenborough well, and if his noble Friend were present, he felt convinced that he would thank the noble Lord for the title, although sneeringly applied. The right hon. Baronet had dwelt most eloquently on the kindness and humanity of General Pollock, in visiting the sick and attending the hospitals; and the House had responded to his feeling. He supposed that, upon similar grounds, the noble Lord (Lord Ebrington) would stigmatize General Pollock as an apothecary, as a waiter on hospitals. No man could peruse the despatches on the Table, without being struck by the anxiety evinced by Lord Ellenborough to provide for the army everything that could add to their comforts or diminish the hardships they must necessarily undergo. Lord Ellenborough having used every possible exertion to equip his armies, at length began to see his way to success. He saw that in September, or October at furthest, the armies under General Pollock and General Nott, would be supplied with the means of carriage, and every other necessary; and on the 4th of August he issued that order to General Nott, which the same noble Lord opposite has been pleased to designate as shabby; and he could not help remarking, throughout this discussion, that discretion was a virtue but little practised or estimated by hon. Gentlemen opposite. What does Lord Ellenborough do? With all the responsibility of the great empire of India weighing upon his mind, and the safety of the army depending upon him, he did not, as hon. Gentlemen opposite, perhaps, would have done, constitute himself the sole judge of an important military operation, but left the decision to the only man who was competent to form an opinion. If he were asked to put his hand upon that paper in the whole of the despatches, which redounded most to the honour and good sense of Lord Ellenborough, this was the very paper to which he should point! [Sir *R. Peel* said something] and he had the authority of the right hon. Baronet to state that this was the opinion entertained by the highest authority in the country—by the Duke of Wellington. The hon. Member for Montrose had asked why General Nott had not retreated on Quetta and Sukkur, in obedience to the orders of Lord Ellenborough, dated May 11th, 1842. The reply was, that he had no means of carriage, and was unable to move. Until he was joined by General England, he was not only without carriage, but was without ammunition, medicines, stores, and all that could render an army effective, or enable them to accomplish with safety any movement. General Pollock had in like manner declared, that he must of necessity remain at Jellalabad, and was unable either to advance or retreat, for want of the means of conveyance. But to return to the order of the 4th of August. Lord Ellenborough says,

> "I have now, therefore, reason to suppose, for the first time, that you have the means of moving a very large proportion of your army, with ample equipment for any service."

He says that nothing had occurred to induce him to change his opinion as to the expediency of bringing back the armies at the earliest period, to positions where they would have easy and certain communications with India, and then adds—

> "But the improved position of your army, with sufficient means of carriage for as large a force as it is necessary to move in Affghanistan, induces me now to leave to your option the line by which you shall withdraw your troops from that country."

He points out to him forcibly and strongly the difficulties and dangers he will have to encounter, and tells him,

> "That the loss of another army, from whatever cause it might arise, might be fatal to our Government in India."

And he (Mr. Hogg) would ask, where is the man conversant with that country, who would venture to express a different opinion? He then dwells on the advantages to be derived from a successful march through Ghuznee and Cabul, over the scenes of our late disasters, and points out the effects it would produce

> "Upon the minds of our soldiers, of our allies, of our enemies in Asia, and of our countrymen, and of all foreign nations in Europe."

He states that to himself it would be an object of just ambition; and having thus strikingly pointed out the advantages to be derived by an advance by Cabul, and suggested the necessity of due caution, he leaves all to the determination of General Nott, who, I again repeat, was the only man competent to decide—and desires him in his progress, if he should advance,

> "To leave decisive proofs of the power of the British army, without impeaching its humanity."

Lord Ellenborough at the same time writes to the Governor of Bombay, to Sir Charles Napier, and to Major Outram, adopting every precaution, and suggesting every means that could add to the efficiency of the troops, or secure the success of the proposed movement. No man could have made greater efforts to render our army efficient; no man could have shown a more anxious desire to retrieve the national honour, combined with a due care for the safety of our troops; and throughout Lord Ellenborough had exhibited a zeal and devotion for the public service, which he (Mr. Hogg) was astonished to see, was not duly estimated. He found the army so entirely destitute of carriage, that he might almost have despaired of supplying the deficiency. He applied himself, however, sedulously and vigorously to the task; he appointed an efficient officer to the head of the Commissariat. He wrote to Mr. Clerk, to exert himself in the Punjaub, and ordered the assistance of every authority civil and military, for the supply of camels at any cost, and if camels could not be procured, directed that bullocks and ponies should be purchased without reference to expense—and within ten weeks he succeeded in collecting for the army nearly 17,000 camels, and other beasts of burthen. He knew not where the hon. Member for Montrose got all his information. He supposed he must derive it from some correspondent in India, as much that he had stated was not to be found in the papers laid upon the Table of the House; and he must say, that the hon. Gentleman's credulity much exceeded his discretion, as he seemed to believe every idle report that was sent to him. The hon. Member had stated, that the Income-tax might have had some influence on the advance of the army. This singular admixture of the Income-tax with the affairs of India, was not, however, new, and had been repeatedly dwelt upon by his hon. Friend the Member for Guildford; and he (Mr. Hogg) had that day been reading an article on the same subject in the last number of a quarterly publication, which claimed to have been prematurely ushered into the world, in order that the article he had adverted to might produce some influence on this debate. When he first took up the publication, he did so with some little apprehension, thinking that he might be enabled to distinguish the same master-mind which had so admirably described the achievements of a Clive, and of a Hastings, but he had not perused long before he found that the hand that now guided the pen was powerless, and the attack weak and innocuous. Some effort was made to prove that the right hon. Baronet at the head of the Government was not aware, that the expenses of the expedition to China were to be paid from the finances of this country. But the hon. Member said,

> "The right hon. Baronet makes a speech about the Income-tax and shortly afterwards certain orders are sent out to India."

[Mr. *Hume* "Hear, hear."] Hear, hear, said the hon. Gentleman, after he had been already told by the hon. Gentleman, the Secretary to the Board of Control, that no such orders had ever been issued. He remembered having seen it stated in a public journal, which professed to be well-informed, that the orders for the troops to advance had been despatched from this country on the 1st of June; but that date did not tally with the statement of the hon. Member for Montrose. Now there was some chance of a reasonable coincidence of dates respecting things which had actually occurred; but when men spoke of things which had no existence but in their own imaginations, each gave his own date and circumstances—out went the order from home on the 1st of June. It had been confidently and pompously announced—but that would not tally with Lord Ellenborough's order to advance on the 4th of August, therefore, that position is no longer tenable, and the hon. Gentleman prudently retreats to the 1st of March. [Here some hon. Member spoke to the hon. Gentleman.] He begged pardon, the 1st. of April. The hon. Gentleman had appropriately and judiciously selected the 1st. of April as the date for his imaginary order. He had hoped that after the reply of the right hon. Baronet, the Member for Launceston, to the statement of the hon. Gentleman, the Member for Gateshead, no further observations would have been made as to the excesses of the troops, either English or native. He wished that hon. Members when making such statements, had distinguished the information derived from the papers before the House, from that which had been obtained from the *Bombay Times*, or *Agra Akbar*, or other sources peculiar to themselves. Lord Ellenborough, General Pollock, and General Nott, had all enjoined the strictest observance of humanity and forbearance, and there was nothing in the despatches before the House to justify the imputation on the troops, of having departed from these orders. He would call the attention of the House to the expedition of General M'Gaskill to Chareeka, and his attack upon Istalif, which had been animadverted upon by the hon. Members for Gateshead and Montrose. He begged the House to bear in mind that the insursection broke out in Kohistan the very day that Burnes was murdered, and that it was at Chareeka where the Ghoorka regiment was treacherously attacked and destroyed, only two of its officers escaping. Istalif consisted of a mass of small fortresses, and might be regarded as a nest of land pirates, and was the place to which Amunoollah Khan, and the chiefs who had taken the most active part in the massacre of our troops, had retired. And what were the reasons assigned by General Pollock for this expedition? He says that having received information that Amunoollah had collected his forces at Istalif, he thought it right to make an example of one of the most notorious enemies of the British power. That by appearing in force in Kohistan, he hoped to obtain the release of the native prisoners, in which he succeeded—and that unless this force was dispersed, they would hang on his rear and harass him when retiring. Surely there was no use in puling about the horrors inseparable from war, and which could not fail to take place in storming the stronghold of the enemy. He, as much as any man, regretted these horrors, but he knew they were necessarily attendant on a state of war, and he denied that the documents before the House, afforded any grounds of accusing the troops of excesses or inhumanity. Unfounded rumours had been circulated, that numbers of women and children had been killed at Istalif, but what said General M'Gaskill,—

> "The enemy were driven from their strong forts and pursued with a rapidity which left no time to rally, and a singular spectacle was then presented in the escape up the mountain side of the women and children from the place, to which no interruption was offered;"

Not the slightest insult was offered to the women, and they were all allowed to retire unharmed. And he dwells on the exemplary humanity displayed by the troops towards the families of the deceased. Now, this despatch fortunately arrived about forty-eight hours before the publication of the papers on the Table, and it shewed how completely unfounded the statements were, which had been so industriously circulated. He thought that the conduct of the troops reflected the greatest honour upon themselves and upon their officers. When we considered how much they must have been excited and exasperated by recent events, and when met at every turn by the mangled remains of their former companions in arms. He was not a military man, but he had always understood that it was both justifiable and customary to destroy the forts and strongholds when withdrawing from an enemy's country, and he believed that not a building had been destroyed that was not the fortified residence of some chief who had taken a prominent part in the massacre of our troops. He ought, perhaps, to except the Bazaar at Cabul; and if he could venture to form an opinion, he would rather have heard that the Bala Hissar had been destroyed, and the Bazaar spared. But let it be remembered, that it was here where the remains of our late envoy were exposed to public insult, and that it was deemed necessary to impress upon the Affghans that such atrocious conduct could not be permitted to pass with impunity. The hon. Member or Gateshead seemed to intimate that General Pollock had been guilty of something like desecration in destroying what was called a mosque at Cabul. The word "mosque," it was true, seemed to imply something sacred; but in point of fact, the building as he understood it, had nothing sacred about it. It was built as a kind of trophy to commemorate the events of the past year; was fitted up and nearly filled with the plunder of our army, and was designated the Feringhee or christian mosque. To be sure, General Pollock did destroy it; and he would ask any hon. Member whether he would have been justified in leaving such a trophy existing. Allusion had been made to the hesitation shown by some of the native regiments, to advance into Affghanistan; but he felt assured that the gallantry and discipline afterwards evinced by these regiments, rendered any explanation unnecessary. Never was there an occasion when the gallantry, endurance, and fidelity of our native troops had been more severely tried or more conspicuously displayed. Hitherto our Indian sepoys had marched against the enemy, animated and sustained by the consciousness that when led by British officers, they must ever prove invincible, no matter by what numbers they might be opposed. But here, they were summoned to action after a disaster that could hardly fail to shake their confidence in themselves, and even in our military power. They were called upon to advance into a country that had proved the grave of the thousands that preceded them, and where the defiles through which they passed were strewed with the mutilated remains of their countrymen. Fearlessly they encountered the rigours of a climate to which their frames were unsuited, and the horrors of which were frightfully presented to their view, by the wretched stragglers who reached their camp, having escaped the murderous knives of the treacherous foe. Let it be remembered too, that the sepoy is influenced solely by a rigid sense of duty, and of honour. He is not buoyed up and stimulated by those high thoughts and stirring aspirations which animate the British soldier, when marching to battle, burning to sustain the glory and advance the interests of the country that gave him birth. The sepoy advances, stimulated by no feelings of ambition; influenced by no hope of personal aggrandisement, roused by no consciousness that on the coming conflict depends the safety of his family and the glory of his country. Still he advances, steady and dauntless, faithful to the dictates of honour and duty; or, in his own expressive language, ever "true to the salt he ate." With such troops, and with such officers, as had that night been brought to the notice of the House, they had little to fear for the stability of their mighty empire in India.

Viscount *Ebrington* explained, that he had not intended to disparage the services of Lord Ellenborough in providing the army with those things that were necessary for its wants. On that ground he thought the noble Lord deserved the thanks of the House. Indeed, he could scarcely quarrel with the hon. Gentleman opposite, for having praised Lord Ellenborough as an excellent commissary-general.

Mr. *Mangles* said, that after the eloquent and touching addresses of the right hon. Gentleman opposite, and that of the noble Lord the Member for the City of London, he had congratulated himself on being spared the necessity of saying a word on the present occasion, and it was only what had occurred within the last few minutes that had induced him to depart from the resolution that he had formed. But he could not sit silent to hear the hon. Member for Beverley taunt that side of the House with having their assent to the vote of thanks wrung from them, unwillingly, by a mere sense of justice. He knew and felt, that it was ungracious to say a word in opposition to the present motion, and only a sense of duty induced him to rise and make the few observations with which he should trouble the House. He was sure that on both sides there were the same feelings of admiration and gratitude at the exploits of the troops, and that there was the same desire to give expression to that feeling which was embodied in the resolution which had been submitted to the House. Being taunted however, as he and those who sat near him had been by the hon. Gentleman who had just sat down, he would not be deterred from saying what he felt with respect to Lord Ellenborough's conduct. He said the necessity of thus guarding himself the more, as he was convinced that when Lord Ellenborough's other merits were brought into question, that the vote of that evening would be appealed to, and an attempt would be made to throw that over him as a protection and shield and it would be said, "How can you think of calling that man's conduct to account who has so lately received the thanks of the House of Commons"? He, however, would not be deterred by any such argument from expressing frankly, when the proper occasion came, what he thought as to the conduct of Lord Ellenborough. He admitted that he thought that Lord Ellenborough was entitled to thanks for the services that he had rendered in getting the supplies together for the army; but he should state why he thought the margin of the noble Lord's merit very small, and why he considered that the national honour had been in much hazard in his hands. The fact was, that between the 15th of March, when there was written that spirited order which had been so often referred to as the letter to the Commander-in-Chief, and the 4th of July, the whole tenour of the orders issued by the Governor-general were for retreat, and immediate retreat, and the only qualification which was to be found in them was as to the means of retreat. He would not stop to inquire why Lord Ellenborough showed a diminished energy immediately he left the council at Calcutta; it might be as it had been stated by the hon. Member for Beverly that after his departure from that place the noble Lord received intelligence of fresh disasters. At any rate, however, from the 15th of March to the 4th of July, there was a great falling-off in the spirit of the despatches and an increasing manifestation of a disposition to retreat. Let him ask the House what was the situation in which they would have been placed if these orders had been acted on, and if Lord Ellenborough had met with generals more disposed to obey such orders. To use a common, but expressive phrase—no thanks to Lord Ellenborough that they did not retreat. If his orders, his urgent and repeated orders, had been carried into effect, (and it was mere accident that they had not been carried into effect), instead of our now rejoicing over the successes of our troops in the field, and in the passes, and in the destruction of the Bala Hissar and of the so called impregnable fortress of Ghuznee, we should have been mourning over a humiliating retreat, and our national honour, and the character of our troops unvindicated. But let the House see what General Nott thought would have been the effect if he had been able to carry into execution the Governor-general's peremptory orders to retreat. In page 245 of the *Blue Book*, that gallant officer makes use of this striking language:—

> "If Government intend to recover even temporarily and for the saving of our national honour their lost position in this country, even if doubtful of the policy that it may be deemed expedient to pursue, I earnestly hope, that before any immediate retrograde step is made in either direction, our whole position in Affghanistan will be attentively viewed, and that the effect which a hasty retirement would certainly and instantly have on the whole of Beloochistan, and even on the navigation of the Indus, will be taken into consideration."

Recollect, that the House was not then called upon to thank Lord Auckland, or to consider his policy; but this he would say, that if Lord Auckland was not justified in his intention to evacuate Affghanistan, Lord Ellenborough's proceedings to that end was much more impolitic. General Nott proceeded to say:—

> "At the present time the impression of our military strength among the people of this country, though weakened by the occurrences at Cabul, is not destroyed; but if we now retire, and it should again become necessary to advance, we shall labour under many disadvantages; the most serious of which, in my opinion, will be a distrust of their strength among our soldiers, which any admission of weakness is so well calculated to induce; and in what other light could a withdrawal from Jellalabad and Candahar be viewed?"

This was the opinion of General Nott, who was at any rate a competent authority as to what effect a retreat would produce, and from the 15th of March to the 4th of July he received constant orders to retreat, which were not obeyed, only because the army did not possess the means of carriage. But even after General Nott had received his supplies, Lord Ellenborough said that his opinion as to the necessity of retreat was not altered, therefore he (Mr. Mangles) thought that the grounds for giving that noble Lord the thanks of Parliament were brought within the narrowest possible grounds. The other reason which induced him to adopt this opinion was the mode in which Lord Ellenborough declared the terms on which he was prepared to treat with the Affghans. If the Affghan chiefs had been wise enough to have known the resources and strength of our empire in India, and had, therefore, assented to the terms proposed to them, we should have abandoned that country without the vindication of our honour. In the first place, therefore, he entertained the view which he had expressed with respect to this motion, because the glorious issue of the campaign has resulted solely from the happy accident that the generals were not in a situation to obey the orders of the Governor-general to retreat, and in the second place, from another happy circumstance equally beyond the control of the Governor-general, that the Affghans would not listen to the terms that were proposed to them. These two accidents were the only things that prevented a hasty and dishonourable retreat. The hon. Member for Beverley was very severe on his right hon. Friend the Member for Plymouth, for terming the order of July a shabby order. He (Mr. Mangles) would say that it was a tardy, reluctant, and ungenerous document, and was, in point of fact, no order at all, but only a licence to that gallant officer to advance on his own responsibility. The hon. Member for Beverly had constantly termed it an order, but it had not the semblance of an order in any part of it. As to what the hon. Gentleman said with respect to the heavy responsibility of the Governor-general, and of his knowing well the hazard and danger that would attend another reverse in that country; it was evident that the greater the hazard and the consequent responsibility, the more wrong it was, that the Governor-general should have thrown that responsibility on General Nott, to whom it did not belong? He shifted the responsibility from his own shoulders, where it ought to have rested, upon those of General Nott, to whom it in no way belonged. Lord Ellenborough said—

> "I give you leave to advance, if you see no objection;"

whereas, he ought to have said:

> "You must advance, unless you see a decided objection."

All this convinced him that the noble Lord had the smallest possible claim to the thanks of the House. Before he sat down, there was one circumstance to which he would refer, because it had not been noticed by the right hon. Gentleman in his eloquent and happy opening speech, wherein he was sure hon. Gentlemen would admit that General Nott was entitled to very great credit and honour. When General Nott received the order to advance a portion of his troops, to take a certain portion with him, and to send a portion back under General England, he wrote a despatch (printed, No. 419) in which he said, he having, be it remembered, only two of her Majesty's regiments with him:—

> "I certainly could have wished to have taken her Majesty's 41st regiment with me, knowing the great consequence of the adventurous march before me. But, when I look to Sinde, and to the want of confidence in our brave troops, shown by certain officers, I must give up that wish, however desirable, to ensure the safety of the division which I am not to accompany. I can see no difficulty or danger to the division which will retire to Sukkur; and their numbers will be augmented at every post on their route. What the division, retiring *viâ* Ghuznee and Jellalabad, may have to encounter, remains to be seen; but I trust our exertions will overcome all difficulties, and that your lordship will not be disappointed."

Now he (Mr. Mangles) knowing well the extreme importance justly attached in India to having a certain proportion of her Majesty's troops in every army, did think that going on such an expedition, the conduct of the gallant general in giving a half of all his European force to the column which was returning, was deserving of the highest meed of honour.

Colonel *T. Wood* said, that it appeared to him the hon. Gentleman who described the Governor-general as having exhibited an hiatus of spirit between the 15th of March and the 4th of July, had himself manifested an hiatus of observation and candour, in not taking into his consideration at the same time the circumstances in which matters in India were at the period when, on the 19th of April, the Governor-general wrote to General Nott. The hon. Gentleman talked of the noble Lord's having sought to shift the responsibility from himself upon General Nott; but let him read the despatch of the 4th of July, and see whether he was authorized in such a suggestion. Writing as he was to General Nott, at a distance of 1,300 miles, under constantly varying circumstances, the noble Lord would not have done his duty had he not left much to the discretion of General Nott. Lord Ellenborough, at the close of his despatch to General Nott, dated 10th July, distinctly said:—

> "With these cautions, I must again leave

the line of your retirement to your own decision, to be founded upon your knowledge of circumstances, at the period when your march would commence; and I can only again assure you, that the most favourable construction will be put upon your conduct."

Such was the spirit and such the instructions which had called forth the noble actions which had reflected such honour upon—he would not say, the Indian army—but the British army, for the services which had been rendered by the officers and men of this army were such as would reflect honour upon any army in the world; and the name of Ellenborough would ever be connected with these glorious transactions.

Captain *Bernal* had hoped this motion would have been agreed to unanimously; and he, therefore, much regretted that the hon. Member for Montrose should have thrown the apple of discord into the arena, in the shape of an amendment. He trusted, however, that the hon. Gentleman would withdraw that amendment. He (Captain Bernal) had read the ponderous blue book with great attention, and he had risen from the perusal with a feeling that Lord Ellenborough was amply entitled to this vote, because it was evident to him that his Lordship had carried out the original policy of Lord Auckland, as to withdrawing from Affghanistan. Lord Auckland, in his despatch dated 22d December, 1841, says:—

"We have laid it down as a rule of our conduct that we would do all in our power to rescue our detachments wherever they may be encompassed by danger; but that, if the position of command and influence, which we have held at the capital of Affghanistan, should once be absolutely and entirely lost, we would make no more sacrifices of the very serious and extensive nature which could alone be effectual, except under positive instructions from England, for the re-establishment of our supremacy throughout the country. If matters should, by force or negotiation, be restored at Cabul, we shall have time for deliberation; and, if they should be but barely maintained in their present state of precarious difficulty, we must await the approach of spring before we can act with vigour or advantage. We have particularly, however, felt it our duty distinctly at this distance to give instructions applicable to all contingencies, and therefore to contemplate the most unfavourable issue to the struggle which our troops are maintaining at Cabul; and, in this case, upon the anticipation of which we cannot conceal from ourselves the hazard of extending dangers, and of the insurrection assuming in other quarters also the same national and united character, we have authorised General Nott and Major Rawlinson, with such caution and deliberation, in their military and political proceedings, as may serve to avoid discredit, and to promise safety, so to shape their course as best to promote the end of the eventful relinquishment of our direct control in the several Affghan provinces, and to provide for the concentration of all forces and detachments as may be most conducive to the security of the troops."

It appeared to him that Lord Ellenborough had only been carrying out the principles of this despatch. As to what had fallen from the noble Member for Plymouth, as he (Captain Bernal) believed, in jest, it appeared to him to afford one of the best possible grounds for thanks to the Governor-general, that he had shown himself to be so efficient a Commissary-general. He could hardly have earned higher praise. He must state that, in his opinion, the troops in the first expedition to Cabul were by no means supplied as they ought to have been. There seemed to have been a penny-wise and pound-foolish system of economy pursued. In the despatches numbered 108 and 118 General Wilde lamented that no guns were forthcoming when he applied for them; he was obliged to obtain two from the Sikhs, and they were so bad that they burst the first time they were fired. Such was not the state in which the army should have been left. In despatch No. 153 General Wilde said:—

"In the midst of all my difficulties there is none which distresses me more, and causes more trouble and importunate references to me, than the commissariat department, at every instant of the day, occasioned by the insufficiency of cattle, and the prospect that one-half of what may accompany us will probably die from sheer starvation, as food for animals, in advancing through the Khyber Pass, must be carried along, as well as for man. On no occasion that has ever come under my observation would it have been so desirable to have an experienced and efficient commissariat officer with a force, as at Peshawur; and there is no European responsible person,—none but a parcel of Gomashtis, each bent on his own interested purposes, without any controlling authority."

It was plain therefore that the duties of the Commisary-general were most important, and had been before Lord Ellenborough's time inefficiently performed. It appeared to him, in fact, that the whole of the disasters at Cabul were attributable to the niggardly policy of the Indian Government, and its false spirit of economy had cost England the possession of that fine country. He should refrain from offering any opinion as to the policy or administrative acts of the noble Lord (Lord Ellenborough) beyond those which were comprised within the terms of the resolutions before the House, respecting which he must say that he most cordially approved of them; and he trusted that the House would be prepared, in addition to the vote of thanks, to confer some more substantial reward upon the gallant and deserving officers and men who were the subjects of the resolutions under discussion.

Sir *H. Douglas:* I was in great hopes that the Vote of Thanks proposed by the right hon. Baronet at the head of her Majesty's Government would have passed not only unanimously, but by acclamation, and without entering into any of those discussions consequent upon the observations made by the noble Lord, the Member for London, which have certainly disturbed and protracted the discussion. I shall not take up the time of the House in going at any length into the general merits of this important and most interesting subject, as presented to the House in the splendid statement made by the right hon. Baronet, in proposing the Vote of Thanks which we are now considering; but shall confine myself strictly to professional military observations, appropriate to the question now before us, namely, the conduct and execution of the military operations, by which the war in Affghanistan has been brought to a most triumphant and satisfactory conclusion. I am very sensible, Sir, that nothing that I can say, can add to the weight of the splendid statement made by the right hon. Baronet in proposing this Vote of Thanks, or give any additional value whatever to the thanks which are, I trust, to be unanimously bestowed. But I hope these will not be the less acceptable to my gallant comrades in arms, that an old soldier, admiring what they have done, and capable, I trust, of appreciating it professionally, should feel himself called upon not to give a silent vote upon an occasion on which, the reputation of the profession, and the interests of the country have been so nobly upheld. With respect to the position of military affairs in India and Affghanistan, at the time Lord Ellenborough assumed his high functions, I need only advert to the despatches and documents referred to by the right hon. Baronet, namely, the Governor-general's despatch of the 3rd of December, 1841, that of the 15th of February, addressed to Sir Jasper Nicolls, and that of the 19th February, 1842, addressed to the Select Committee. And, as the hon. Member for High Wycombe, who spoke last, has read to us a passage in the despatch of the 3rd of December, more particularly expressive of the declaration of the Governor-general in Council, that it was not their intention to direct new and extensive operations for the re-establishment of our supremacy throughout Affghanistan, or to retain possession of the remainder of that country in the event of Cabul being lost, I must observe, that the hon. Member did not read that sentence to its conclusion, having omitted "that it was the wish of the Governor-general in Council to retire from Affghanistan, with the least possible discredit." This, together with the determination expressed in the letter of the Governor-general in Council to Sir Jasper Nicolls, of February 15th, directing his Excellency to withdraw Sir Robert Sale's force from Jellalabad with the least possible delay, and likewise General Nott from Candahar, proves that at that time there was no hope or intention of doing more than to withdraw the British troops with the least possible discredit from Affghanistan. Lord Ellenborough, in his celebrated despatch of the 15th of March, announced his intention to provide, in the first instance, for the safety of the detached bodies of our troops at Jellalabad and Candahar, and, ultimately, to re-establish our military reputation by the infliction of some signal and decisive blow upon the Affghans, and so retrieve the disasters of Cabul before we should ultimately withdraw within the Indus: and Lord Ellenborough proceeded with the utmost circumspection, prudence, and vigour to carry this resolution into effect. If he had attempted this with precipitation — if he had ordered movements in advance from Jellalabad and Candahar before those points in the two lines of operation had been properly succoured and strengthened by re-opening communications with them, and so make good those points which had been pushed so far into an enemy's country, as we say "in air" without establishing intermediate posts by which to ensure the safety of those in advance, from which extensive operations might be combined upon Cabul—if Lord Ellenborough had done this, we should not now be occupied in voting thanks to that noble Lord. For nothing would have been more dangerous; in fact it was impracticable to attempt a forward movement from those two points, until they should be firmly made good, strengthened, and supplied with all the means requisite for such ulterior movements. What was the situation of General Nott at Candahar? He received on the 14th of November the order from General Elphinstone, dated the 3rd, to move with the utmost practicable expedition, with the whole of the troops under his orders, upon Cabul, instead of returning to Hindostan. Colonel M'Laren's brigade had already left Candahar on its return to Hindostan, in conformity with the orders that Major-general Nott had received. That brigade was immediately recalled; and, with the addition of some cavalry and horse-artillery, pushed forward towards Cabul, but was forced to return. The insurgents collected in force, first within forty miles of Candahar, and then advanced to within five miles of that place. They were there attacked and dispersed by Major-general Nott. On the 28th of December the Major-general received the Governor-general's letter of the 3rd of December, directing him to retire. But General Nott, and the political agent, determined not to do this, nor to observe, in this respect, the terms of the Convention of Cabul. But it was impracticable for Major-general Nott to *advance*. His force, 7,000 men of all arms, was totally insufficient. A small body of indifferent cavalry; three of the infantry regiments (the Shah's Hindoostanee,) indifferent; only 4,000 good troops, to guard an immense line of march and convoys of provisions; pay four months in arrear, total want of medical stores and comforts, and of the means of transport. Such was the state of that important post for six months, as General Nott states, after the disaster of Cabul, without having received any succour or reinforcement of even a few additional troops, which would have enabled him to advance from Candahar. What was the situation of Jellalabad? Major-general Sale had fallen back from Cabul upon that place, to open the communication through the Khyber Pass, and to secure that very important point Jellalabad upon that long line of operation. He was ordered by Major-general Elphinstone, on the 9th November, 1841, to return with the whole of his troops immediately, at all risks and with the utmost possible expedition, to Cabul. Major-general Sale had reached Jellalabad with the greatest difficulty, and with severe loss; and well was it that he declined to attempt to obey the order he had received. Had he done so, Jellalabad must have been lost. He judged rightly in adhering, as he states in his despatch of the 15th November, to his plan of putting Jellalabad in a state of defence, holding it, if possible, until the Cabul force should fall back upon him, or succours arrive from Peshawur. Every exertion was then made to open a communication with and succour Jellalabad. Colonel Wyld failed in his attempt to affect this, and was obliged to fall back. This was afterwards effected by Major-general Pollock, in the most able and gallant manner: he received Lord Ellenborough's despatch of the 15th of March, on the 2nd of April. He moved forward on the 4th, opened the Pass, and on the 16th relieved Jellalabad. He too, had discretionary powers; he might have withdrawn the garrison and retired; but he, in concurrence with the gallant officer whom he had relieved, determined to remain, and to exercise his discretion in preparing for a movement combined with one from Candahar, upon Cabul. And here, with the leave of the House, I wish to draw particular attention to the admirable despatch written by Major-general Nott from Candahar, on the 24th of March, 1842. That despatch has been referred to by the hon. Member for Guildford as a protest against the orders which he had received to withdraw his troops from Candahar. But these scruples, this determination not to withdraw, were in opposition to orders issued before Lord Ellenborough's arrival. It is impossible for a military man to speak of this remarkable despatch, without expressing the utmost admiration of the sound and scientific views which it contains; and without stating the conviction I feel, that had the post of Candahar been relinquished—had Major-general Nott withdrawn from it, and moved towards Hindostan, as he was ordered to do, neither Lord Ellenborough's orders, nor any exertion however splendid on the other line of operation, would have succeeded in effecting the great ulterior design, of striking a memorable blow at Cabul. And on the other hand, had our troops been withdrawn from Jellalabad, the undivided force of the Affghans would have been at liberty to concentrate its energy against Candahar.

"As long (says Major-general Nott) as both the positions of Candahar and Jellalabad are occupied by us, the attention of the insurgents in Affghanistan is distracted. No general or combined movement can be made by the Affghans while they are threatened from both these points; but if one source of apprehension be removed by the withdrawal of our troops from Jellalabad, the undivided force of the people backed by success, and inflamed by religious enthusiasm, will be at liberty to concentrate its energy against our position at Candahar."

It certainly does appear that Lord Ellenborough did contemplate the necessity of retiring from those two points; and thereafter to carry into effect the determination announced in his despatch of the 15th of March, in some other way. His Lordship appears to have acted, in this respect upon a well-known maxim of our profession, borrowed from the French, as many of our technicalities are, *Reculer, pour mieux sauter.* Recede, to rush forward the more effectually. But happy and fortunate was it, that he had, in the command of those points, officers on whose discretion he might rely, and to whose discretion he gave latitude, and who fearlessly assumed it. Lord Ellenborough lost no time in doing everything in his power to push up communications with those points, to succour, reinforce, and secure them first, and then to provide them with all the means and materials requisite for a combined offensive movement upon Cabul. He then wrote his celebrated despatch of the 4th of July, to Major-general Pollock, directing him to combine his movements with Major-general Nott, and, as senior officer, to issue orders to that officer. The House will likewise find full instructions for these combined movements, in Lord Ellenborough's despatches, Nos. 415 and 418, pages 335 and 337, which had been so often quoted, and in conformity with which, those movements were made, and which were conducted by those gallant officers, and executed by the troops, under their command, in such a manner as to entitle those who directed, commanded, and executed those heroic deeds, to that unanimous vote of thanks, which I think they richly deserve, and which I trust will be given cordially and unanimously.

Captain *Layard* said, he was most ready to concur in the vote of thanks to his gallant comrades in India. He had himself served in that part of the world, under a gallant officer whose name was well known both to India and to Europe. He had served there under Lord Combermere, and he had at least seen enough of India to know that the thanks of that House were eminently due to the officers and men who had rendered to their Sovereign and their country such eminent services. Amongst other grounds on which he should support the present motion was that referred to by the right hon. Gentleman the Secretary at War; that right hon. Member referred to the humanity which our soldiers had shown: no one who had any practical acquaintance with armies could hesitate to admit, that nothing could be more difficult than to restrain within due bounds a body of troops disorganized by defeat, or flushed with victory. He sincerely rejoiced to observe that the hon. Member for Gateshead had said what he did; but he hoped that there existed no grounds for thinking, and he trusted there never would be good ground for saying, that the British army had stained the bright jewel of their reputation by acts of inhumanity. While a vote like the present was under consideration he did think that a fitting opportunity presented itself for calling the attention of the House to the bad state of the arms with which British soldiers were supplied. On a recent occasion a division of infantry fired upon a body of cavalry, and though the distance between them was but twelve yards, yet not a man of the enemy fell. This was a state of things which he felt bound to bring under the consideration of the House. The actions of the gallant officers and men who had been recently employed in India were such as to have completely wiped off the stain that for a short time had dimmed the lustre of our arms, and he hoped, that as the House were disposed to give their thanks for these services, they would go a little further, and bestow upon them more substantial rewards which such conduct so justly deserved. The right hon. Baronet had very properly dwelt upon the gallant actions performed both by captains and subalterns; but he also, in a manner highly honourable to himself, spoke of the conduct of a non-commissioned officer, Sergeant Deane, who returned into one of the passes for the purpose of saving the life of a son-in-law of General Sale. It rarely fell to the lot of a man in the humbler ranks of life to be thus mentioned; but nothing could be more just, or more creditable to the feelings of the right hon.

Baronet, than the reference thus made to the services of this estimable individual. He would now beg to address himself to the hon. Member for Montrose; that hon. Member had mentioned Lord Keane. The noble Lord performed the services which he undertook well and efficiently; he performed them gallantly, and no man living could think of grudging him the rewards which he had received; but surely, as Lord Keane never claimed any degree of credit but that which belonged to him, so he ought not to be held responsible for anything which occurred in his absence; he hoped, therefore, that the hon. Member would withdraw his opposition.

Mr. *C. Wood* said, he should not have addressed the House, but for the allusion to the reference which he had made on a former night to the reports of excesses said to have been committed by our troops. It was now but justice in him to say, that he had derived much satisfaction from the perusal of the orders contained in the Blue Book, from Lord Ellenborough, and from the generals commanding the troops; and also the statements made by the right hon. Baronet the Secretary at War. It was impossible that orders could be more clearly expressed than were those from the noble Lord, and also those from Generals Nott and Pollock, enjoining forbearance and humanity. The contradiction by the Secretary at War of the reports alluded to, was as complete as circumstances would allow. He rejoiced in the removal of such a stain from the character of our troops. Reference had been made to the absence of any succours to General Nott at Candahar for six months. But if the hon. Member would refer to the Blue Book, he would find that not only had orders been given by Lord Auckland for the forwarding of succours, but it was to be seen, in a letter from General England to Major Outram, dated 18th February, that before Lord Auckland left India, measures had actually been taken for sending help to General Nott. The letter stated—

> "I have the honour to acquaint you that, under the circumstances of the determination of the Government to maintain Candahar, and with a view to give support to that important measure, I propose, at the earliest practicable period in the next month, to move the head-quarters of this force up the Bolan Pass to Quetta, with the following detachment of the troops now in the low country."

He would not trouble the House with the details; but General England went on to say—

> "You are probably aware that, independent of the expediency of forcing the communication with Candahar, the troops at that place are much in want of carriage, treasure, medicines, and other stores; also that several officers, as well as a company of Bengal artillery, destined for Candahar, have been for some time prevented from reaching it, owing to the interruption of the road by the insurgents. The movement, however, which I contemplate, will at once remedy these evils; and thus place the corps of Major-general Nott in increased efficiency."

He quoted this to show, that every means had been taken to send supplies to General Nott. He would quote a passage from a despatch of General Nott's to show, that it was from no want of equipments, but in consequence of Lord Ellenborough, that no earlier movements had been made. In a letter to Mr. Maddock, dated May 21, he said—

> "Before the receipt of your letter of the 19th April I had equipped this force, which, with two additional regiments of infantry, another troop of horse artillery, and the remainder of the Shah's First Cavalry, I had intended to march in command of, for the purpose of throwing supplies into Kelat-i-Ghilzie, and endeavouring to recover the late Ghusnee garrison, now in the hands of the enemy, and making a diversion in favour of General Pollock's army."

This intention, it thus appears, was abandoned, in consequence of Lord Ellenborough's orders of April 19. He (Mr. Wood) would say no more than that he concurred in the vote of thanks, on the grounds stated by the right hon. Baronet, and acquiesced in by his noble Friend; and, after the statements and explanations which had been made, he trusted the hon. Member for Montrose would withdraw his amendment.

Mr. *Stafford O'Brien* referred to the expedition which, four years before the proclamation of 1842, had been ordered to proceed beyond the Indus, and they could not, he was understood to say, remember that proclamation, and reflect upon what had been done and not done in India since, without feeling the great responsibility which attached to those who originated that expedition—a responsibility in which all in that House must share. It was not that they felt less grateful to the army for the great deeds it had performed, if they, at the same time, felt in a warfare like this, the great responsibility which attached to them as Christians and a civilised people. How much Christianity and civilisation had receded in consequence of late events, was matter for deep consideration. After our reputation for valour had been re-established, a reputation for justice and Christian mercy yet remained to be fully carried out.

Mr. *Hume* having withdrawn his amendment,

On the second resolution being put,

Mr. *Hume* explained, with reference to the observations of Captain Layard, that no man more cordially than himself joined in the vote of thanks to the army.

Motion agreed to *nem. con.*; and it was ordered that Mr. Speaker transmit the resolutions of the House to the Governor-general of India. "That his Lordship be requested to communicate the same to the several officers referred to therein."

FORGED EXCHEQUER BILLS.] House in committee on the Forged Exchequer Bills Bill.

Mr. *Hume* wished to call the attention of the right hon. Gentleman to the case of a gentleman to whom some Exchequer Bills had been assigned which happened to be forged, and who was a most innocent holder of them. That person had suffered the serious loss of 6,000*l.*, and he thought as they had been purchased without his knowledge something should be done to give him relief.

The *Chancellor of the Exchequer* knew, that the hon. Member was alluding to the case of Mr. Inglis, to whom he was most anxious to shew every attention which was not inconsistent with his public duty. His case certainly stood on a different footing from the most of those in the same schedule. In his case Mr. Rapallo, the chief instrument of issuing the forged bills, had placed s considerable amount of them in the hands of the Messrs. Morgans, whom Mr. Inglis had employed as his brokers. Before he left England, he had placed in their hands the sum of 7,000*l.*, to be employed by them for his advantage. After the forgery was discovered, and not before, Morgan, who then held 20,000*l.* of Exchequer Bills, assigned 6,000*l.* of them to Mr. Inglis. But there was no evidence—no memorandum—no account whatever of the assignment. As the bills never had been formally assigned to Mr. Inglis, he looked on the loss that gentleman had sustained, as caused not by his being the innocent holder of forged Exchequer Bills, but by the abuse which his agent had made of his confidence. It was not, therefore, in his power to place the name of Mr. Inglis amongst those to whom compensation was to be given.

Dr. *Bowring* asked whether the present bill would be quite sufficient for its purposes, as he understood that it would not secure to the holders of the bills both their capital and the interest of their capital?

The *Chancellor of the Exchequer* explained that the effect of the bill would only be to give the holders of the Exchequer Bills the amount of those bills which they held—it would go no further, and give them interest from the date when the bills commenced. It would be necessary, hereafter, to pass another vote to pay the parties interest on the Exchequer Bills from the time they came into their possession. The parties must not, however, expect to receive 5 or 5½ per cent. interest, but the market interest which Exchequer Bills bore. They had not given any premiums on these bills, and they must not expect, therefore, to receive any premiums.

Bill went through the committee.

NATURALIZATION OF FOREIGNERS.] Mr. *Hutt* moved for leave to bring in a bill for the general naturalization of foreigners. The hon. Member explained that its object was to confer on the Crown the power of granting to foreigners all the privileges of British subjects, including the right to sit in Parliament, and to sit at the Privy Council.

Sir *J. Graham* was not aware, till the hon. Gentleman rose, that he meant to bring forward his motion that evening, and he was unwilling to allow it to pass without saying one or two words on the proposition. He must call the attention of the House to the important constitutional question involved in the motion. It was now proposed to confer on the Crown the power of naturalising foreigners, which had hitherto been in possession of the Legislature. Parliament had entrusted the Crown with the privilege of enabling foreigners to hold property in the country; but Parliament had reserved to itself the power of concurring with the Crown in granting to foreigners the privileges of sitting in Parliament and at the Council Board. It was now proposed to transfer from the Parliament to the Crown the power of enabling foreigners to sit in Parliament and in the Privy Council. That was a matter of considerable importance. The power reserved to Parliament had been exercised in favour of persons of great distinction allied to the Crown, or in favour of foreigners who had conferred distinguished services on the country. He was not prepared to argue the question with the hon. Member—he was not prepared to say that the change should not be made; but it was of some importance to see such a change proposed by the Gentleman opposite, who would give to the Crown exclusively a power which now was exercised by the Parliament and the Crown.

Mr. *Hume* agreed in the view taken by the right hon. Gentleman, but thought that in the present circumstances of the country the bill might be useful.

Mr. *Hutt*, in reply, was understood to say, that what he proposed was not exactly new, for an act was passed in the reign of Queen Anne, by which any foreigner could obtain an act of naturalization, and be enabled to sit at the Council Board and in Parliament, only on condition of taking the oath of allegiance and paying a fee of 1*s.* The act lasted only four years, though it was approved of by some of the most distinguished statesmen of that age, and was repealed under very extraordinary circumstances.

Leave given. Bill to be brought in.

COAL VENDORS.] Sir *George Clerk* moved for leave to bring in a bill to discontinue certain actions under the provisions of an act of the 2nd year of William the 4th, for regulating the vend and delivery of coals in the cities of London and Westminster, and in certain parts of the adjacent counties. The hon. Member explained that a number of coal fitters had inadvertently infringed the act of Parliament which was referred to in his motion, by not describing in certain certificates, according to the act, the pits from which these coals were taken. For this inadvertence several actions had been brought against them by a common informer, and one of them had been tried, and the parties condemned to pay a fine of 100*l.* The bill was similar to bills brought forward to remedy similar evils, and he hoped it would be allowed to pass through the House as speedily as possible, consistently with its forms. He would add, that the bill met the approbation of the corporation of the city of London.

Leave given. Bill brought in, and read a first time.

EMPLOYMENT OF THE POOR IN MANUFACTORIES.] Mr. *Ferrand* moved,

"That there be laid on the Table of this House correct, entire, and unmutilated copies of an original letter addressed to Mr. Edwin Chadwick, secretary to the Poor-law Commission, by Mr. Robert Hyde Greg, dated Manchester, September 17, 1834, and of an original letter to Mr. Edwin Chadwick by Mr. Henry Ashworth, dated Turton, near Bolton, Lancashire, 2d month, 13th day, 1835. Also a copy of the correspondence relating to, and a return of the number of persons who were removed from their parishes in the agricultural districts into the manufacturing districts, under the authority and sanction of the Poor-law Commissioners, with the dates and mode of their removal, the names of the parishes from which they were taken, and the names and residences of the persons to whom they were assigned; with a particular account of the numbers, sexes, and ages in each family when they were removed; and also of the number of deaths, by accident or otherwise, which have since taken place among them; also an account of those who have been maimed in their employment, and a statement of the amount of the wages agreed upon when consigned, with the actual wages they received; and, also an account of their present residences, employment, and wages."

Those returns had been three times moved for in that House and as often refused. The last occasion when their production was sought by the hon. Member for Oldham he was importuned by the late Government not to persist in the motion, and he believed that hon. Gentleman had never to the present day forgiven himself for having given way to those solicitations. The production of the papers would prove to the country the shameful means which had been resorted to by the emissaries of the Poor Law Commissioners to induce the poor people in the south of England to emigrate to the north in order to become the slaves of the manufacturers there. The treatment of those who had been kidnapped by Dr. Kay and others, agents of the commissioners, was disgraceful and cruel in the extreme. Instead of meeting the comforts and receiving the wages which had been promised them, their wages were reduced one-half, and the poor people were crowded three or four families into every cottage, and exposed to miseries and diseases of the most frightful description. Smallpox broke out among them and they died by hundreds. Their relatives in the south made inquiries after them, but no tidings could be had. His solemn conviction was, that those poor deluded people had been sold into a land of slavery, the object of the commissioners and the manufacturers being to reduce the rate of wages. That fact was obvious from an extract of one of those letters which had been already furnished to the House; and if the papers he now moved for were produced entire and unmutilated, the charges he had made against the commissioners, who were responsible for the treatment of these poor people, would be fully substantiated. The right hon. Baronet the Secretary of State for the Home Department had, to his great honour, engaged that copies of the papers should be laid before the House, so far as it was possible to procure them; and he hailed this as a promise that justice would at length be done to this subject by a Conservative Government. He had also to move

> "For a copy of the diet table in use at the Belper Union Workhouse, and at the Derby Union Workhouse, on the 31st day of January last,"

From which it would appear that the guardians of that union acting under the instructions of the Poor Law Commissioners, were treating the unfortunate inmates of the workhouse in the most cruel and unmerciful manner. He had also to move,

> "For a copy of any correspondence which had taken place between the Poor-law Commissioners, the Board of Guardians of the Skipton Union, and a firm of cotton-spinners, carrying on business at the Low-mill, Addingham, in the West Riding of Yorkshire, and trading under the firm of Seed and Co., respecting the sale of a number of poor persons confined in the said Skipton Union Workhouse to the said firm, for the purpose of being worked in their factory; also a statement of the amount of money agreed upon between the said parties, the number of cripples handed over to the said firm, the manner in which they were conveyed to the said factory, and the reasons of their being so conveyed; also a copy of the conviction of the said firm of cotton-spinners, upon the information of Mr. Robert Baker, inspector of factories, for having worked their mill-hands on Friday, Saturday, and Sunday, the 23d, 24th, and 25th days of December last, in violation of the Factories Act."

The hon. Member stated that the firm of Seed and Co. having reduced the wages of their operatives, and treated them otherwise in a most tyrannical manner, they all left in a body, and hands were procured to supply their place from the workhouse, six miles off. Among these were several cripples, who had to be carried in a tax-cart, belonging to the mill-owners. On the 23d, 24th, and 25th of December last, the 25th being Sunday, they were worked by these monsters in human shape thirty-two hours, and only allowed thirteen and a half hours for rest. If these things were done with the consent of the Poor Law Commissioners, it was time their authority should be abolished, and the act which gave it to them repealed. He felt strongly upon this subject, knowing the locality where these transactions had occurred, and having been in communication with the parties aggrieved. If the right hon. Baronet had seen these wretched creatures in the state he saw them, applying for protection before the magistrates, he was sure he would have felt compassion for them, and been of opinion that the Poor Law which sanctioned such proceedings was a disgrace to the country.

Sir *J. Graham* was prepared to give a qualified assent to the motion, but deprecated the strong, harsh, and unjustifiable language which had been used by the hon. Gentleman, which he thought was quite inconsistent with the legitimate principles of freedom of debate. He could not consent to retain in the motion the words "correct, entire, and unmutilated." Such expressions conveyed a direct insinuation that a public office from which the return was expected was in the habit of garbling, or returning inaccurate statements to the House. If, therefore, the hon. Gentleman did not withdraw those words he should oppose the motion. He was unable to procure a return of the letter of Mr. H. Greg, neither original nor copy being to be found among the records of the Poor-law Commissioners. It was, in fact, a private letter addressed to Mr. Chadwick. The Poor-law Commmisssioners did not possess either the original or a copy. Mr. Ashworth's letter was in the possession of the Poor-law Commissioners and he was ready to consent to its production. With respect to the next return, as to the number of persons who were removed from their parishes in the agricultural into the manufacturing districts, under the sanction of the Poor-law Commissioners, it was impossible to state the amount of the wages they then received, or their present residencies, employments, and wages. There were several items in that motion of which it would be quite impossible for him, on the part of the Poor-law Commissioners, to promise a return. Everything that was really material, and that could be furnished, had already been presented to the public in the Poor-law Commissioners' report of 1836, p. 448, where the hon. Gentleman would find a statement made by Mr. Muggeridge, the assistant Poor-law Commissioner, on this subject. In the report of 1837 there was also a further statement on the subject. He (Sir J. Graham) was ready to furnish any information that he was able to obtain. With regard to the returns respecting the dietary of the Belper and Derby Union workhouses, he should not feel any difficulty in laying them on the Table of the House. As to the last motion of the hon. Gentleman, he begged to inform him, that the Poor-law Commissioners were not cognizable, directly or indirectly, of the transaction to which he referred. If any such transaction had taken place, the Commissioners were entirely ignorant of it. He must demur to granting these returns, unless the hon. Gentleman consented to withdraw the expressions "correct, entire, and unmutilated."

Mr. *M. Gibson* said he would not have troubled the House, if the hon. Member for Knaresborough (Mr. Ferrand) had not made statements which would go forth to the public affecting parties who had no opportunity of giving the same publicity to the contradictions as would be afforded to the accusations. He thought it very desirable that such dislogistic terms as the hon. Member had introduced should be omitted from motions submitted to that House. The hon. Member for Knaresborough had asserted that persons were "kidnapped" and induced to go from the agricultural into the manufacturing districts by the promise of conditions which had not been fulfilled; but he was convinced that a fair inquiry would show the erroneousness of this statement. The hon. Gentleman had now, as he had on former occasions, made assertions which could not be substantiated. He would not go into the question now; but he thought the hon. Gentleman should be cautious in giving currency to such unmeasured censures upon individuals. With respect to one statement of the hon. Gentleman he might observe, that agricultural labourers had been removed into the manufacturing districts, because in those districts there had been an increased demand for labour, which was coincident with a diminished demand in the agricultural districts. He believed that if these labourers had not gone from the agricultural to the manufacturing districts the places they occupied in the latter would have been supplied by Irish labourers, and this would have had a still more depressing effect. After the agricultural labourers were transferred to the manufacturing districts, there was a rise in the rate of their wages, and they received larger weekly wages in the manufacturing than they would have done in the agricultural districts. He wished, however, most directly to contradict the statement that there had been any "kidnapping," or that the conditions on which these persons were transferred to the manufacturing districts had not been fulfilled; and he thought the hon. Member for Knaresborough ought not, especially before the returns for which he moved were presented to the House, to make statements involving such serious charges.

Dr. *Bowring* said, that one of the gentlemen to whom the hon. Member for Knaresborough had referred was a personal friend and constituent of his; and having on several occasions visited that gentleman, he had had an opportunity of noticing the condition of the labourers in his employ. He could state that many of the persons who had been transferred from the agricultural districts blessed the day that had seen them removed from a state of great distress to a condition of comparative ease and comfort. He would refer the hon. Member to the statements of Dr. Cooke Taylor, who, in the account of his visit to the manufacturing districts, repeatedly noticed the comfort and happiness of the workmen employed by Mr. Ashworth. He recommended the hon. Member to be cautious how he indulged in these vituperative attacks.

Mr. *Ferrand*, in reply, said he had referred to the case of a manufacturer who was convicted by the magistrates in penalties amounting to 125*l.*, and who had worked his hands from half past eight o'clock on the Saturday morning till Sunday afternoon at four o'clock. Now, was this man a monster in human shape, or not? He did not feel himself justified in withdrawing this expression; and he was sure that no hon. Member would like his children to be worked as heavily as this man had worked those whom he employed. He regretted that the hon. Member for Manchester should have repeated to-night a statement made a few evenings ago—that he made assertions in that House which he had been unable to prove. He challenged the hon. Member, and any Gentleman on the opposite side of the House, to adduce a single instance in which he had made assertions which he had not been able to prove.

Mr. *Gibson* said the hon. Member for Knaresborough had made charges against the hon. Member for Stockport (Mr. Cobden) which he had not substantiated. The hon. Member had also made charges against manufacturers connected with the Anti Corn-law League, that they were especially the supporters of the truck system. But against whom did the hon. Member prove this charge in the committee he obtained? As far as he was aware, the charge was not proved against any member of the Anti Corn-law League; it was proved only against two manufacturers in Lancashire, who were of conservative politics, and opposed to the League.

Mr. *Ferrand* expressed his surprise to hear that the truck system was proved against only two manufacturers in Lancashire. He could tell the hon. Member that it was proved against scores of manufacturers in Lancashire.

The several returns, modified as suggested by Sir James Graham were ordered.

House adjourned, at half-past twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 21, 1843.

MINUTES.] **PETITIONS PRESENTED.** By the Earl of Radnor, from Lambeth, Burnley, and the Gorbals, for the Repeal of the Corn-laws.—From Cirencester, for Free Trade, and the Repeal of the Income-tax.—From Milton Clevedon, for Church Extension. — From the Wirral Union, for the Repeal of the Registration of Births, etc. Act.—By Lord Campbell, from the Session of Whitburn, for a Settlement of the Scotch Church Question.—By the Archbishop of Canterbury, and the Bishops of Hereford, Chester, Bangor, Salisbury, Rochester, and Lincoln, from Worcester, Norwich, Rochester, the Clergy of Essex, the East Riding of York, the Clergy of Anglesea, Maidstone, Llanfachreth, Llanelltyd, Estimaner, Menai, Stafford, Llangefni, Tregagan, Llangwyllog, Liverpool, Llandrygarn, Bodwrog, Trefdraeth, Dolgellan, Penmynydd, Llanfaes and Penmon, Pentraeth, Llandegfancum, Beaumaris, Llanbedrgoch, Llanfairmathafarneithaf, Llanddonna, Llangadwaladr, Llandysilio, Llanfairpwllgwyngyll, Llanfechell, Llanlyristeolus and Cerrig-Ceinwen, Rhosgolyn, Llantrisan and Llechcynfarwy, Llanfwrog, Llanidan, Rhodo-Geidio and Gwredog, Llanddeusaint, Llantsaintffraid-Glyn-Ceiriog, Llaniestyn, Llangord and Llanfihangel, Tin Sylwy, Llanbadrig, Holyhead, Llanfaeqhly, Bodedern, Llanddyfnan, Llansadwrn, Newborough, Llanfihangel and Llanffinan, Llanfachreth, Amlwch, Talyllyn, Llanedwen, Llanrhyddlad and Llanrhwydrys, Llangeinwen, Llanbeulan, and Towyn, for the Repeal of so much of 6 and 7 Will. 4th c. 77, as to the Union of the Sees of St. Asaph and Bangor.

PETITIONS—RULES OF THE HOUSE.] Lord *Campbell* rose to present a petition from the congregation of Whitburn, in the county of Linlithgow, praying that the House would take measures to restore peace to the Church of Scotland; but having been informed by the Clerk that the petition was informal, in consequence of the signatures being on a different paper from the prayer of the petition the noble Lord said, that he could vouch for the petition being genuine and authentic, the sheets were united in the usual way, and he could not see the advantage of a rule such as had just been described to him.

The *Lord Chancellor* said, that if one name only was on the same sheet as the prayer of the petition, it had been the rule of the House to receive it; but where not a single name was on the same piece of paper, it had never been customary to receive it.

Lord *Campbell* believed there was no standing order by which the rule was laid down.

The Earl of *Devon* said such had always been the rule of the House, and it had been found useful as a protection against fraud.

Lord *Brougham* admitted there was no standing order on the point, but his noble and learned Friend knew very well that there was a common law as well as a written law, and so it was in that House too. During the thirteen years that he (Lord Brougham) had been a Member of the House, he had never heard the rule objected to.

Lord *Campbell* still thought it would be more reasonable to allow the character of the petition to rest upon the responsibility of the peer who presented it. Still, if such was the rule, he would of course withdraw the petition.

Petition withdrawn.

The New Houses of Parliament.] The Marquess of *Clanricarde* said, he had given notice of his intention to ask a question relating to the progress that had been made in building the new Houses of Lords and Commons. When the subject was originally considered it was agreed that the most rapid progress possible should be made for the purpose of affording proper accommodation to their Lordships. It was not his intention to find any fault with what had been done, because he possessed no accurate information on the subject; but so far as he could learn from that general information which was open to the public in this country, he understood that the arrangement, or agreement, to which he had alluded, had been more or less departed from. It was generally supposed that it was considered desirable to hasten the completion of certain ornamental parts of the building—he alluded particularly to the tower; and that other important parts were in consequence delayed. He by no means objected to those ornamental parts, because, as he was told, they would be worthy of the purposes for which the buildings themselves were intended; but he thought that for no reason should one hour's delay be allowed in giving to their Lordships all necessary accommodation in their place of meeting. If this were not attended to, or if a satisfactory answer were not given, he should feel it to be his duty to move for the appointment of a committee to inquire into the subject, and to make such suggestions and to adopt such resolutions as they might deem necessary, if what he understood to be the fact was so. He hoped, however, that such would not prove to be the case. The question he wished to ask was, whether, in proceeding with the building of the new Houses of Parliament, the arrangement originally agreed to had been kept in view? and whether they might look forward to any particular definite period when accommodation would be afforded to their Lordships, in their chamber, more fitting than that which they now had.

Lord *Wharncliffe* said, he should be very glad if proper accommodation could be afforded to their Lordships immediately. He had made inquiry as to the progress that had been made with the building, and he found that, as the Victoria Tower was the heaviest part of it, and there was, in the opinion of the architect, a probability of its settling, it was therefore, not deemed desirable that the rest of the building should be carried on until a certain portion of the Tower was erected. With respect to the erection of the House of Lords before the other parts of the building were completed, it was considered desirable that the works should be carried on together; but that would not prevent the completion of the House of Lords considerably before the House of Commons and the other parts of the building. Certainly there should be no unnecessary delay. The House of Lords would probably be ready in 1845, but on that point he spoke loosely, for he had not particularly inquired into it.

Lord *Brougham* said, if they were to be debarred from proper accommodation for so long a time, after they had given such great accommodation to the other House, it became a subject of very serious grievance. This great delay, it appeared, was occasioned in consequenne of the erection of a tower. A tower was to be added to the building for the sake of pure ornament. It was not for use—there was not an atom of use connected with it. He understood that it was described by (we believe) Mr. Hamilton, than whom no man was a more competent judge, as a specimen of the bad gothic taste of the nineteenth century. He could not see why they should wait so long a time, and expend so much money, on a mere matter of ornament. He wished the necessity of proceeding, as was at first arranged, should be urged on Mr. Barry. Their Lordships were to have been accomodated in the first instance; but now they were told that the whole of the buildings were to go on *pari passu*. He should say nothing about the reason assigned for that; but he wished to have the bargain originally entered into when they gave up their House to the Commons strictly performed — namely, that their Lordships should have ample accommodation very speedily. The House of Commons had never been better off for accommodation than at present. Not that he could say this from any personal knowledge of his own, for since the day on which he received the Great Seal, he had never crossed the threshold of the House of Commons. But nothing could be worse than the accommodation of their Lordships; and surely the convenience of their Lordships should also be attended to. Their library, he understood from Mr.

Leary, was in such a state, that there was no place in which to put certain presents of books received from the king of the French.

Viscount *Duncannon* considered that the appointment of a committee would be most satisfactory. It was now eight years since the building was commenced, and the architect stated at the time of the contract that within seven years the work would be sufficiently advanced to enable their Lordships to have all the accomodation necessary. Some two or three years ago he asked when it was likely that the building would be sufficiently advanced to enable their Lordships to sit in their own House, and was told by the Session of 1844. There was another inconvenience to which he would advert, because he thought it a really serious one, he alluded to the air and light which would be all cut off, in a very short time, by the height of the building now going on close by the present House.

The Marquess of *Lansdowne* said, that undoubtedly their Lordships had made a great sacrifice in giving up the accomodation which they possessed to the other House under an agreement that proper accomodation would be speedily provided for thei Lordships. Such accommodation had not been provided, and therefore, he agreed with his noble Friend near him that it would be proper to appoint a committee to inquire into the subject, not with a view to making any alterations in what was intended to be done, but for the purpose of seeing how the work could be expedited. He should be very sorry to see the tower abandoned. His noble and learned Friend had indeed said that it would be useless. That, however, was not the case, because it was intended to serve as a receptacle for public records, and a very safe and secure receptacle it would be. There was, however, no question between his noble and learned Friend and himself as to the necessity of procuring, as soon as possible, better accomodation for their Lordships than their present place of meeting afforded.

Lord *Campbell* said, that the greatest inconvenience was felt by those of their Lordships who sat from ten o'clock till half-past four o'clock. The alternate heat and cold of the place made it at one time a cold bath, and at another a vapour bath. Having recently come from the House of Commons, he could take it on himself to say that that House need be in no hurry; the ventilation there was excellent, and the temperature agreeable.

Lord *Sudeley* saw no reason why the whole of the new building should proceed simultaneously. It might be desirable to have all the walls carried up to the same height. The whole of the exterior might be completed at one time, but the interiors of the several apartments might be finished at various times. He saw no reason why the House of Lords might not be completed in 1844.

A committee was appointed to inquire into the progress of building the two Houses of Parliament.

Adjourned till Thursday.

HOUSE OF COMMONS,

Tuesday, February 21, 1842.

MINUTES.] BILLS. *Public.*—1°. Lunatic Asylums.
2°. Coal Vendors Penalties.
Reported.—Forged Exchequer Bills; Coroners Inquests.
3°. and passed:—Transported Convicts.
Private 2°. Littleton Inclosure.

PETITIONS PRESENTED. From Pulborough, and Midhurst for the Repeal of the Malt Tax.—From Hanmer for Church Extension.—By Mr. T. S. Duncombe and Captain Pechell from Bath, and Brighton, for inquiry into the late Special Commission Proceedings.—From Beverley, for the Repeal of the Corn-laws, and of the Property Tax.—By Colonel Rushbrooke, from Sudbury, against the Disfranchising of that borough.—From Bristol and Plymouth, against using Dogs as Beasts of Burthen.—By Lord Sandon, Sir S. Glynne, Messrs. Richards, H. Lambton, and Hughes, from Holywell, Liverpool (two Petitions), Rural Deanery of Dursley, Anglesey, Durham, Northop, Hawkesbury, Llanddyfnan, Llanasa, Struchcombe, Rhiwaedog, Hirnaut, Pentrevoclas (two petitions), Festiniog, and Maintwrog, Llanfachreth, Llanfawr, Llanelltyd, Salyllyn, Dolgellaw, Kinnerly, Beddgelert, Llanycil, Clocaenog, Cerrigdruidion, Llanfor, Llangower, Llanuwrhllyn, Towyn, Mallwyd, Archdeaconry of Stafford, Deanery of Estimaner, and Deanery of Avdudwy, against the Union of the Sees of St. Asaph and Bangor.—From Brixham, and Torbay, against the Bill of last Session relative to the Officers of Merchant Vessels.—From Thomas Vaughan, for a Bill to Reguiate Wages.

FINANCIAL STATEMENT.] Mr. *Wallace* seeing the right hon. Gentleman the First Lord of the Treasury in his place, wished to put a question to him with respect to the proceedings he meant to adopt relative to the commerce and finances of the country. On the 4th of March last year, the right hon. Baronet told the House that as soon as he had got a vote of supply he would state the course he meant to adopt as to his commercial and financial measures, and on the 12th March he laid his interesting statement before the House. He represented a large and important community, which had a great stake in commerce, and he wished to inquire whether the right hon. Gentleman had made up his mind, and would communicate to the House, what would be his course of psoceeding as to the commercial and financial measures he might bring forward?

Sir *R. Peel* apprehended that the question which the hon. Gentleman had asked him, and of which he had been good enough to give notice, in substance meant, at what time her Majesty's Government would bring forward their financial statement, or budget, for the year. He could only state generally, that at as early a period as was possible, her Majesty's Government would submit to the House their views as to the financial condition of the country, and, of course, its bearing on the commercial interests; but he could not lead the hon. Gentleman to expect that it would be at an earlier period of the Session than had been usual in former years. Of course it was desirable that progress should first be made in the estimates, and especially under the particular circumstances of the present year. He was sure the hon. Gentleman would see that there were particular reasons in the present year, on account of which it would be highly inconvenient to anticipate the usual period of the financial statement,

Mr. *Wallace* wished to understand whether the House were not to expect the statement until after the 5th of April.

Sir *R. Peel:* Certainly not till after the 5th of April—quarter-day.

CONDUCT OF LORD ABINGER.] Mr. *T. Duncombe* said he rose in pursuance of the notice he had given, and in compliance with the wishes of large bodies of his countrymen expressed to him, to discharge a painful public duty, by calling the attention of that House to the manner in which the Lord Chief Baron Abinger discharged his duty as a judge during the late special commission issued for the counties of Lancashire and Cheshire. In asking the attention of the House to this subject, he did not prefer any claim on his own account, but he implored it on the part of millions of the unprotected, unenfranchised poor among their fellow-subjects. He was satisfied he should not make this appeal in vain, especially when he considered that in former days, if there was one subject more than another on which the House of Commons had been jealous, it was the administration of justice. Their first object had ever been to keep that pure, and to watch the manner in which the judges appointed by the Crown held the scales of justice between the prerogatives of the Sovereign on the one hand, and the rights of the people on the other. Now, the charges he had to make against Lord Chief Baron Abinger's conduct on the special commission were, that he had discharged his duty in a manner that was partial, unconstitutional, and oppressive to those who were brought before him—that he discharged it in a rancorous, malignant, political, and party spirit to the prisoners who were placed at the bar of the court over which he presided. During the last Session of Parliament a case connected with the administration of justice in Ireland was brought before the House by the right hon. and learned Member for Dungarvon, and he remembered that on that occasion a charge of Lord Chief Justice Pennefather was read, wherein he stated, that if there was a place in which the conduct of the law officers of the Crown or of the judges was to be canvassed, the House of Commons was that place. He now begged, therefore, in conformity with the declaration of that learned judge, to call their attention to the conduct of the Lord Chief Baron. He knew not whether hon. Gentlemen had forgotten the feeling raised among the public—the storm of indignation and disgust excited among all men out of that House at least—at the charges which Lord Abinger delivered, and the manner in which that judge summed up the evidence in several cases, as well as the sentences which he passed on the unfortunate prisoners. The House might have forgotten the feeling that then existed; but, at all events, if they had, he should feel it his duty to refresh their memories, and he knew no better means of testing public opinion, and ascertaining its direction, than by showing what was the opinion of the public press on this occasion. If that press were at all a reflection of public opinion, or if there were the most distant foundation in truth for the articles which then appeared in its organs, he said it would become the bounden duty of that House to institute a full inquiry into the charges he had to make. He challenged any hon. Gentleman to show him a single organ of the press, high Tory, Whig, Radical, Chartist, high church or low church, which approved of the conduct of

Lord Abinger on that occasion. He must say that the manner in which the public press treated the charges delivered by the Lord Chief Baron and by Lord Chief Justice Tindal on the same occasion was highly creditable to them. If he had a doubt of the view he was about to take of these charges, and of the conduct of Lord Abinger, he need only quote a passage from the *Times,* which condemned the charges of Lord Abinger in the strongest terms. In the first place he might observe that every portion of the press, whether daily, periodical, London, or provincial, was loud in its censure and in invectives against the conduct of Lord Abinger. What said that which was called the leading journal of Europe? Had it a word to say in favour of Lord Abinger? Having contrasted the charge of the Lord Chief Baron with that of Chief Justice Tindal, the writer proceeded :—

"Speaking constitutionally, this was not the voice of an individual—it is not even simply the voice of one in authority—it is the voice of the common law of England."

In another article published in the *Times,* in which comments were made on some speeches delivered at public meetings, which he (Mr. T. Duncombe) attended, and where the charges of Lord Abinger were severely condemned, the writer, having found fault with those speeches, said—

"We must guard ourselves from being supposed to express an unqualified opinion of all that Lord Abinger has said or done in the performances of his trying office. We are inclined to regret the severity of some of those punishments with which he has visited many of the subordinates in this ill-judged and ill-fated rising. We regret that acts, scarcely amounting to tumultous begging, and with no proof of violence, should in these excited times have been visited with transportation, which, as robbery, has been awarded."

Taking the other side of the question, he would refer to the language of the *Morning Chronicle.* [*Here Sir Robert Peel smiled.*] The right hon. Baronet might smile. He dared to say the right hon. Baronet did not approve of all the sentiments expressed in the *Morning Chronicle,* any more than he did perhaps always approve those of the *Times.* The *Morning Chronicle* said, after the opening of the Liverpool sittings :—

"If the sentiments attributed to Lord Abinger in reports of his previous charges are objectionable, those attributed to him in this last charge are infinitely more so. Indeed, we can hardly conceive it possible to cram a greater number of questionable nay,absurd propositions into the same space. We pass over the insinuations levelled at the Anti-Corn-law League in the allusion to the 'schemes of persons who considered that a general turn out might be advantageous to their peculiar political objects,' and proceed at once to notice some of the gross mis-statements contained in this report. It is always our wish to be able to treat with reverence those who are clothed with judicial authority. Had Lord Abinger, in his charges, imitated the wisdom and moderation of Chief Justice Tindal, he should equally have commanded our approbation. But the noble and learned Lord has chosen to quit that path in which he could tread securely, for one in which his gait is most unseemly. It is not for a judge to propound from the judgment-seat doctrines of a questionable character; and if any one judge is less than another entitled to dogmatise on subjects such as those we have noticed—it is Lord Abinger. When in the House of Commons, he was never able to rise to the level of any general question, and in the House of Lords he has never distinguished himself by the comprehensiveness of his views."

The *Morning Herald* spoke on this subject as follows :—

"We doubt whether the mode of giving some of the matter contained in these charges publicity and circulation is very judicious and appropriate. His Lordship's charges at Chester and Liverpool do not read so judiciously as that of Sir Nicholas Tindal at Stafford ; they occasionally travel out of the records before his Lordship and wander into the regions occupied by political controversialists : they aim at more than is perhaps strictly within the province of a charge to the grand jury, and discuss subjects which will not assist the noble judge's auditory in disposing of the bills brought before them. Lord Abinger's addresses are, in short, what are termed political charges. . . . 'Proper things in their proper places ; is a homely adage ; Chief Justice Tindal's charge is an admirable illustration of it ; Lord Abinger's charges here and there offend against it. . . The Lord Chief Baron devoted but small portions of his addresses to an exposition of the law ; he rushed at once into political considerations, indulged in disquisitions on the tenets of 'a kind of men called Chartists'—declaimed against democracy generally—declared the adoption of the Charter to be equivalent to the destruction of the monarchy—suggested that the Government was most lenient in not instituting indictments for high treason in many of the cases to be tried."

The *Morning Advertiser* also condemned, in very strong terms, the conduct of Lord Abinger. They were as follow :—

"Lord Abinger is proving himself to be to the Tory Government what his Lordship appositely described Suisse to be to the Marquess of Hertford, 'an invaluable servant,' to whom no dirty work comes amiss. Yesterday we commented upon his Lordship's charge to the grand jury at Chester, and to-day we refer to the report in another part of our paper of a similar charge on opening the special commission in Liverpool. We have no hesitation in pronouncing both of these charges a disgrace to the Bench, whereto the public have been taught to look rather for an impartial and temperate exposition of the law, than for political disquisitions, or such liberticide harangues as those by which Lord Abinger has desecrated it. We have already expressed our conviction that the object of the Tories is to suppress all expression of public wrongs and opinion, under pretence of quelling insurrectionary manifestations, and Lord Abinger's charges most fearfully confirm this apprehension. By his Lordship's exposition of the law, the mere fact of seeking any change in the system of Government, by means calculated to alarm the authorities, is equivalent to an overt act of treason; so that the people, in such case, have nothing to do but to hug their chains, lest their very rattling might disturb the repose of their taskmasters. We have merely space thus briefly to direct attention to the speech preparatory to the analysis, exposure, and denunciation of its flagrant aggression against the constitutional rights of the people."

That was the opinion of the London press: he would take just one instance from a provincial journal, the *Macclesfield Chronicle*, which said—

"Lord Abinger delivered a lengthy charge to the grand jury at Liverpool, on Monday, which, for bigotry and violence of language, far exceeded his former one. It was composed almost entirely of attacks upon the Anti-Corn-law League and the Chartists. This learned judge—this renegade Whig vents his Toryism in the most ignorant comments upon free-trade, and takes upon himself to be the guardian *par excellence* of public opinion. We venture to assert, that there is scarcely a single man, whose office leads him to animadvert upon human wickedness, in whose history will be found crowded a greater mass of political infamy."

That was the language of the public press, the voice of public opinion, which was certainly not disposed, unless on good grounds, to undervalue judicial authority. Could we expect that the Bench would retain any share of public respect, for the authority which should belong to it, if just grounds were afforded for such imputations on its occupants. He had the firmest belief that he could prove the charges brought against Lord Abinger to be well founded, if the House would grant his demand for inquiry. It would ill become the House to refuse such a request. He believed the motion he was about to make was strictly founded on precedent, and conformable to the usage which had obtained in similar cases of ancient date. There had been numerous instances in former times of the punishments of judges who had been brought before the Bar of that House. Judges who had misconducted themselves had been fined, imprisoned, and removed, and had, he might say, been executed. He was not asking the House at the present moment to pronounce any opinion upon the guilt or innocence of the learned Lord; but if he (Mr. Duncombe) could prove at the Bar of the House that that learned Lord had been guilty of the charges which he (Mr. Duncombe) imputed to him, it must be the opinion of every man that the learned Lord was unworthy to act in his judicial capacity. Without going back to ancient times for precedents, he would advert to those of more recent date. In the case of Kenrick, who was a Surrey magistrate and a Welch judge, Mr., now Lord Denman, made a motion in the House very similar to that of which he had given notice, which was to call witnesses to the Bar in confirmation of charges brought forward. That motion was agreed to unanimously. There was a little coquetting it was true; but the case was so good, that the right hon. Baronet now sitting opposite at last consented that an inquiry should be instituted into the conduct of this magistrate and judge. The result of the inquiry was, that Mr. Denman moved a vote of censure. The right hon. Baronet, then moved as an amendment, that the committee having heard evidence in support of the allegations of the petitioners, and having heard counsel on behalf of Mr. Kenrick, did not think it necessary to recommend to the House the institution of any further proceedings. There the matter dropped; but he (Mr. Duncombe) believed that the general expression of feeling was so strong against the conduct of Mr. Kenrick, that he resigned his judgeship, although he remained in the commission of the peace. The next case to which he would advert was that of Baron Smith, against whom certain charges were made in the year 1834; the first was neglect of duty, insomuch as he had kept his court sitting too late at night, while he had not attended it sufficiently early in the morning; and the second charge was, the introduction of political topics in his charges to the grand juries in Ireland.

That case was brought under the consideration of the House by the hon. and learned Member for the county of Cork. Now, he (Mr. Duncombe) apprehended that all he had at present to do was to establish a *primâ facie* case for inquiry; for he did not ask the House to prejudge the question. That was the position taken by the noble Lord then, as now Secretary for the Colonies, and who he regretted, was not now in his place, in the case of Baron Smith. Now he contended that his case was stronger than that brought forward by Mr. O'Connell against Baron Smith. He complained not only of the topics introduced into the charges of Lord Abinger but of his summing up before the petty jury, and of his conduct—he had almost said, his brutal conduct — towards the prisoners at the bar, in passing sentence upon them. In the case of Baron Smith it was urged that a sufficient case had not been made out for the inquiry; but Lord Stanley (then Mr. Secretary Stanley) in answer to that said—

> "Whatever circumstances of palliation—whatever circumstances of justification, there may be, depend upon it this case cannot stand without inquiry and investigation."

Now, that was exactly what he said with relation to Lord Abinger. Mr. Secretary Stanley went on to say:—

> "It cannot so stand—it ought not so to stand; and the hon. and learned Gentleman who expresses such anxiety to support the due authority of the law, and the upright and fair administration of justice in Ireland, may believe me when I say—which I do most conscientiously, as from the bottom of my heart —that that authority, and that support are best given and best secured by taking care that, if possible, no doubtful cases shall occur, and that if they do occur, no attempt shall be made to prevent a full and public inquiry into them. Sir, it is with this view wishing to cast no imputation on Baron Smith, for whom I entertain the most unfeigned respect, still less desirous of doing anything to subvert the authority of the law, and least of all desirous of acceding to anything that might countenance agitation in Ireland, whether political or predial, and believing that the support of the law and the authority of justice may be best maintained by allowing a due exercise of control to the public opinion and the public sentiment, by showing that in the British House of Commons the interests of Irish justice are not less attended to than the interests of English justice; I say, Sir, that it is with this view, and on this ground, that while I should resist any motion that tended to remove with ignominy this judge from the bench, at the same time I do say, that in my conscientious judgment, a case has been made out for inquiry into the circumstances in question, and for examining whether any justification may be adduced for that which on the face of it appears to me a deviation from the ordinary duties of a judge. The hon. and learned Gentleman says, if we grant this inquiry, we condemn Sir William Smith. We do no such thing. All we admit is, that upon the face of the case there is ground for inquiry. I impute no corrupt motive—I impute nothing at all; all I say is, that there has been laid before me on the one hand, and not denied on the other, a case of deviation from that which I consider to be the strict line of a judge's duty. It is for that judge, and for those who defend him, to show whether that charge can or not be satisfactorily refuted. All that can be said is, that there is a *primâ facie* case for inquiry."

The House would remember that, after the lapse of three weeks or a month after that debate, a motion was made by the right hon. Baronet opposite (Sir E. Knatchbull), that considering the length of time Baron Smith had been on the bench—that he had served his country for thirty years, and that this was the first time his conduct had been questioned, the vote for appointing a select committee to inquire into the allegations should be rescinded. But even that was resisted by the noble Lord opposite, then Mr. Stanley, and the motion was carried by a majority of six, after a long debate. And upon that occasion what were the expressions of Mr. Stanley:—

> "I say, that I have not that fear which the hon. Baronet (Sir E. Knatchbull) expresses, of subjecting the administration of justice to the caprice of a popular assembly. If the House of Commons wish to have all the statements brought before them, on which they should think a sufficient cause made out for instituting an inquiry, they should desire to be made more perfectly acquainted, not only with the facts that can be alleged on the one side, but with the justifications which may be tendered on the other, in order that they may be enabled to decide whether the matter be of that weight and importance which should lead them to take any ulterior steps."

There was another speech upon the case of Baron Smith, delivered by a noble Lord then an hon. Member of this House, of whose integrity and of the value of whose opinion he (Mr. Duncombe) apprehended there could be no dispute. He alluded to the then Solicitor-general, now Lord Cottenham. That noble and learned person delivered his sentiments thus:—

"It appears he wantonly delivered what must be considered a political party harangue —insulting to many of the grand jurymen who heard it, both with regard to politics and to religion. In England, no such practice prevails; and to avoid all temptation to the judge to become a partisan, it is considered inconsistent with etiquette that the bar should be present whilst he is delivering his charge. . . . . It is the duty of the judge to instruct the grand jury on the subject of the bills about to be brought before them, and not to enter into political matters, or make an harangue on doctrines and opinions, with respect to which many of the jurymen might think very differently from himself. It seems to me that if this practice were to obtain, a grand juryman might get up and answer my Lord Judge: he might say—'My Lord, I am of a different party in politics; I am of a different religion:' and I should like to see the judge who would have the hardihood to commit such a juryman. True, the judge might in answer say—'This is not a debating club, but a court of justice, and you must not reply upon the bench;' but might not the juryman, in return, inform his Lordship that he should have considered that before he made his inflammatory harangue? The hon. and learned Member for Dublin says, he is prepared to prove his case; and if it should be proved, I say that this judge ought no longer to remain in the seat of judgment. It is not proposed that we should immediately address the Crown to remove him; the result of the inquiry may be to prove that the hon. and learned Member is misinformed, and that there is no ground for the allegations which he has made. I earnestly pray that the learned judge may be honourably acquitted of the charge brought against him, if they be not well founded; and if that should be the result, he will return to Ireland in triumph, justified in the course he has pursued. It seems to me that, in justice to Mr. Baron Smith, we are imperatively called on to grant this inquiry."

The noble Lord the Member for the city of London, whom he was sorry not to see in his place, also spoke, on that occasion, in favour of the inquiry. There was, indeed, one individual in the House at that time, who violently opposed all inquiry into the conduct of Baron Smith and that individual was—Sir James Scarlett. What were the sentiments he then expressed? Sir James Scarlett said:—

"I conceive that a motion for a select committee to inquire into the conduct of a judge is one which no Government should support."

But the Government did support it: the right hon. Baronet the Secretary of State for the Home Department was then a Member of the Government, but having voted against them, retired about that time. Sir James Scarlett proceeded to say,

"Which no Government could support unless they have first made an investigation, and are prepared to say they think it a fit case to be followed up by an address for his dismissal. You may declaim about the independence of the judges; but if a judge whose honour and integrity are questioned, even though he should have committed an indiscretion which may make him the object of odium to a particular party, is not supported by the Government, he will not have the courage to do his duty. I venture to say that if this motion be carried, the judges in Ireland, if they have any independence, will all resign."

Resign! But not one of them did resign. Sir James Scarlett went on to say,

"I hope that no Gentleman in the House will give his vote on this matter as if it were a party question. No man detests a political judge more than I do. No man, in my opinion, ought to be made a judge on account of his politics; at any rate he ought not to carry them with him on the bench."

Why, if Sir James Scarlett spoke his real sentiments, Lord Abinger must by this time be beginning to hate himself most mortally, for he could prove that no man had indulged in politics more than Sir James Scarlett, and that he had carried them with him to the judgment-seat, both at Liverpool and Chester. He had alluded to the charge of Lord Chief Justice Tindal; and he would remind the House that the learned judge had, in his charge at Stafford, pointed out exactly what he believed ought to be the conduct of a judge, particularly when engaged on an important and melancholy occasion, such as that upon which he was then addressing the grand jury. His Lordships words were as follow:—

"Gentlemen—It has already been intimated that we conceive it to be no part of our province on this occasion to discuss the justice of the complaints made by the workmen against their employers. or to decide upon the merits of the dispute existing between them. Neither is it part of our duty to show by argument that the course pursued by the parties who thought themselves aggrieved was of all others the least calculated to accomplish—on the contrary, perhaps, the most likely to defeat—the very object which they wished to attain. Nor, again. are we called upon to suggest or to discuss any remedies which may be provided by law for the prevention of similar mischiefs, if, unfortunately, at any future time the same ground of dispute should arise between masters and workmen—a discussion which is better fitted for a legislative assembly than for the Members of this tribunal, to whom the only duty allotted is that of declaring the law as it stands at present. Our direct and more useful course will, therefore, be to endeavour to expound the law as it applies itself to the several cases arising out of these unhappy transactions, upon which you will be required to exercise your judgments, in order that you may arrive at a just conclusion whether sufficient evidence appears in each case to call upon the parties accused to appear before a jury of the country."

No man, he apprehended, would dispute the soundness of the doctrine thus laid down. And here he could not forbear mentioning one anecdote of the conduct of Lord Chief Justice Tindal in reference to these trials. At one time a solicitor's clerk, engaged in defending a prisoner, had occasion to leave the court, and on attempting to return was stopped by the door-keeper, who told him that by order of the sheriff he was not to be permitted to enter, because he was a Chartist. Appeal was instantly made to the judge, and he was told that free ingress and egress had been denied to the solicitor's clerk to and from his client. Lord Chief Justice Tindal said, "Throw open the doors immediately. We know nothing of Chartists here." But go from the court at Stafford to that of Chester or at Liverpool, and it would be found that nothing was in the mouth of Lord Abinger but Chartism and Chartists. Now if Lord Chief Justice Tindal were right, it followed that Lord Abinger must have been wrong. Lord Chief Justice Tindal must have said what he did, in order to gain for the prisoners a fair trial. He now came to the charges delivered at Liverpool and Chester, and here he must contend that judges had no business to express their own opinions upon doctrines, nor to strain the law to meet those opinions. He was confirmed in that view by an authority which he apprehended the House would not dispute—he meant the Attorney-general Thurlow, afterwards Lord Chancellor, on the Duchess of Kingston's trial, in the House of Lords, in 1776, who said:—

"I do desire to press this upon your Lordships, as an universal maxim, no more dangerous idea can creep into the mind of a judge than the imagination that he is wiser than the law. I confine this to no judge, whatever be his denomination, but extend it to all. Ingenious men may strain the law very far, but to pervert it—to new model it—the genius of our constitution says judges have no such authority, nor shall presume to exercise it!"

Now he asserted that Lord Abinger had assumed such authority, and had presumed to exercise it. The two charges delivered by Lord Abinger at Chester and Liverpool were much the same, except that that at Liverpool went beyond the one delivered at Chester. Upon that, therefore, he (Mr. T. Duncombe) should principally take his stand, although he might read one or two passages from the Chester charge to show the *animus* of the judge throughout these trials.

"You will find that there is a society of persons who go by the name of Chartists, and who, if they have not excited or fomented those outrages which will be brought under your notice, have, nevertheless, taken advantage of them for their own purposes, have endeavoured to prevent the unfortunate people from returning to their work, and sought so to direct them that they might be conducive to the attainment of political objects. And what is the object of the Charter, which these men are seeking? What are the points of the Charter? Annual Parliaments, Universal Suffrage, and vote by Ballot. Yet, Gentlemen, you will find, by the evidence which will be produced before you, that it has been inculcated upon many misguided persons that the sovereign remedy for all abuses, and the only means of putting themselves in possession of such a share of power as would enable them to vindicate their own rights and secure themselves against oppression, is by the enactment of what they call the People's Charter."

Was there any Member of that House who would get up in his place and say that the advocacy of the object mentioned is an illegal act? Lord Abinger went on to say—

"What a strange effect, then, would the establishment of a system of universal suffrage produce! for under it every man, though possessing no property, would have a voice in the choice of the representation of the people. The necessary consequences of this system would be, that those who have no property would make laws for those who have property, and the destruction of the monarchy and aristocracy must necessarily ensue."

Not satisfied with libelling those who were favourable to the principles of the Charter, the learned Lord actually went out of his way to attack the institutions of America. His Lordship said—

"In the different states of America there are pure democratic associations, elected by universal suffrage and vote by ballot; and some of these states have recently exhibited the regard paid to property by democratic assemblies, by having protested against paying the public creditor, and disregarded their own obligation to obey their own law made for his security. If such a system of democracy were established in England, the first consequence would be, that the security of property would be removed, the public creditor and all commercial accumulations would be destroyed; and, finally, or, perhaps, the first object aimed at would be the destruction of property in land; there would be an universal agrarian law."

Now, if this was not political doctrine, he would like to know what was. For what purpose was that point put to the grand jury, unless it were for the purpose of prejudicing not only their minds, but those of the petty juries who were to follow, against the prisoners to be placed at the bar? How could the judge know that some of the gentlemen he was addressing were not holders of that very American bank stock, and who, unfortunately for themselves, had lost the whole of their money, and that by his remarks their minds would be prejudiced, when he told them that the parties they were to try were seeking changes which, if effected, would place them, the public creditors, in the same position as the holders of public funds in America? He would ask if it was a fair argument to put to a jury, and whether a judge did not travel out of his way in alluding to such a subject at all. If this noble and learned Lord had not gone into Liverpool, and followed up his abominable and unconstitutional doctrines, in his summing-up before the petty jury, he should not have thought it worth while to call the attention of the House to the subject. But when he followed the noble and learned Lord into Liverpool, he found him indulging there in exactly the same style of language, nay, if possible, still more rancorous and malignant against the parties he attacked. He was quoting the reports of the *Times* newspaper, and as he understood that upon the occasion of the commission that journal sent down one or two of the most eminent reporters to take the proceedings, their report was, no doubt, more correct than if furnished by other means, or as if furnished by Lord Abinger himself. He would prove, that these reports, and more than these reports, were correct, for Lord Abinger went even beyond what was reported, and that in compassion of the judge, some passages were suppressed. The noble and learned Lord also indulged in a hit at the Anti-Corn-law League. Upon that point he would not enter, but leave that association to settle their dispute with the learned Lord:—

"Much has been said of the privations to which the working classes have been reduced, and I make no doubt that they are considerable, for it cannot be denied that many of the usual channels of trade have been interrupted, and there was existing a general feeling of despondency among commercial men as to the advantage of engaging in commercial enterprises, the result of which was attended with great uncertainty; but I am bound to say, from the experience I have acquired as to the history of this insurrection in a neighbouring county, that 'that distress has been greatly exaggerated.'"

Now he thought that House had, during the present Session, given a practical contradiction to the allegation that the distress of the people could be exaggerated. The noble and learned Lord went on—

"It seems that a society of persons, who are recognised by the title of Chartist, have endeavoured to persuade them that the true remedy for all their grievances, was the adoption of what they call, the Charter, which appears to be principally aimed at a larger Reform of Parliament than has already been adopted; and, in defiance of the promises, and no doubt the sincere hopes, of those patriots who introduced and carried the late Reform of Parliament, that it was to be a final, efficacious, and satisfactory measure of reform, these infatuated persons—for they also must be infatuated—have formed an opinion, grounded on what foundations I know not, that a representation created by universal suffrage and vote by ballot, together with the payment of Members of Parliament, would be a panacea for all evils, and endeavour to inculcate these doctrines on the assembled multitudes they addressed; and to persuade them that to perpetuate the insurrection against their masters, and to make it universal, was the best means of getting the Charter. They mixed up with their orations many affected recommendations to peace and order; but, gentlemen, you will find these recommendations always accompanied by false and exaggerated statements of the general feeling of the country. I must say, gentlemen, that if these conspiracies, having such purposes in view, had been made the subject of prosecutions for high treason, the consequences might have been serious indeed to the parties concerned. I am at a loss to know what distinction there is between a conspiracy to subvert the Government, and impose force and restraint on all the branches of legislature on purpose to have a particular measure passed into law, and the crime of high treason."

So it appeared we were to have a new sort of treason—the advocacy of the Charter.

"I do not understand that the Government intend to push the indictment to that extent, and these people owe it to the lenity of the Government that they are not put in a position hazardous to their lives."

Had it then come to this, that the advocacy of the ballot, universal suffrage, electoral districts, payment of Members, and annual parliaments, is high treason? He was not now contending whether those principles were good or bad, but he said it was the constitutional right of Englishman to discuss these subjects, and a grand jury was not to be told by a learned judge of bigotted and rabid Tory principles, that it was little short of high treason to advocate certain principles, and that they were indebted to the lenity of the Government that they would not be arraigned for high treason. He (Lord Abinger) had forgotten that at so late a period as the year 1780 those very principles of the Charter had been advocated by noble Lords not only in that House, but in the other House of Parliament—that the very principles of the Charter had been advocated by the Duke of Bedford, the Duke of Richmond, Lord Selkirk, and others. Lord Abinger went on to say—

"A great deal has been said at different times as to what should be considered an unlawful assembly; and, I am sorry to say, that what has taken place in this country has given rise to discussion on the point, both in courts of law and in Parliament. But one thing is clear—that an assembly consisting of such multitudes as to make all discussion and debate ridiculous and a farce never can be assembled for the purpose of deliberate and calm discussion. Will any person in his senses say that when a man assembles together 3,000 or 4,000 individuals, he does so to form a deliberative assembly, to discuss speculative points either of law or government. Such a profession would carry with it its own refutation. If, therefore, an assembly consists of such multitudes as to render all notion of serious debate impossible; or, if you find that at such an assembly all attempts at debate are put down, and that the only object of the parties is to hear one side, the meeting ceases to be an assembly for deliberation, and cannot protect itself under that pretension."

Was that the learned Lord's definition of an unlawful assembly? He asked those who attended county elections, whether 3,000 or 4,000, and even 10,000, did not assemble; and whether they did not deliberate upon and discuss the merits of the candidates? Lord Abinger went on—

"The consequence of the success of their endeavours would be, not a reform of Parliament, but a subversion of the Government; because everybody who reflects on such things knows that the establishment of any popular assembly entirely devoted to democratic principles, and elected by persons the vast majority of whom possess no property, but live by means of manual labour, would be inconsistent with the existence of the monarchy and the aristocracy. Its first aim would be the destruction of property and the overthrow of the Throne, and the result would be the creation of a tyranny so intolerable, that the very persons who assisted in establishing it, would be the first to put it down; and out of the confusion which would ensue, would possibly result a military despotism. You will excuse me for using this language to gentlemen of your description."

The learned Lord apologized for the language he used, and well he might. Why, those were the old arguments which were used up at the time of the Reform Bill, these anticipations of the Throne and aristocracy being in danger were all put forth as arguments against the Reform Act and its opponents, and now they are used against the Charter by a judge on the bench. With regard to the discussion of points like this, he would quote an authority which hon. Gentlemen on the opposite side would not, he apprehended, dispute—he meant that of the learned Attorney-general himself (Sir Frederick Pollock), at the trials at Newport, when defending Frost, in 1840. The hon. and learned Gentleman said,—

"I have not seen the Charter, and hardly know what is meant by a 'Chartist.' I hear of its points and articles, and I learn from the newspapers that Chartists carry their views beyond the Reform Act established by Lord Grey's Government. Among the articles spoken of are universal suffrage, vote by ballot, annual parliaments, and no property qualification; with respect to these I do not agree with the Chartists; but upon these subjects their opinions are entertained by many Members of Parliament of undoubted respectability and integrity, and of considerable talent, and if it be true what I have heard on the subject—the names of many are attached to a document, the avowed object of which is to frame what is called the Charter of the People, by expounding their principles on these points. Gentlemen, I have abstained from mentioning any name unconnected with the cause, from uttering any observation which could give offence to any one who is absent, or using my privilege—I ought to say my duty—so as to create any feeling of pain or uneasiness to any one absent, and I am sure I shall fulfil the duty which I owe to Mr. Frost better and more to his entire satisfaction, if I refrain from making any one remark which could create a moment's pain with respect to any past conduct or transaction. These Chartists, however, gentlemen, it must be admitted, stand at present in relation to the present constitution as it was established in 1832, just as the advocates of reform stood in relation to the old constitution, which was remodelled by the Reform Act."

The hon. Gentleman added:—

"And, however, I may differ from those who are called Chartists in opinion, I must do them the justice to say, that Chartism so far is not treason, nor the assertion, the public assertion of it, rebellion; and I must go further and say, that although I trust I shall never live to see the day, and I trust that nobody in whom I take any interest will live to see the day, fatal as I think it will be to the happiness, the prosperity, and the well-being of this country, when these principles shall be established; yet I must say, that if it be the confirmed opinion, at any time, if the large mass of the intelligence and numbers, if the strength and sinews of the country, and the intelligence which controls that strength, shall finally determine to adopt the Chartist code, doubtless, gentlemen, it will be adopted, and mere wealth would, in my opinion, struggle against it in vain."

The hon. and learned Gentleman said, that it was not treason and rebellion to advocate the principles of the Charter; but Lord Abinger entertained a different notion. He defied any body who looked at the Charter to find in it anything that would enable him to say that its effects could be such as this learned judge ascribed to it. These were the charges addressed by Lord Abinger to the grand juries. He would now proceed to show how those charges were subsequently carried out by the learned Judge in his charges to the petty juries. If the matter had ended with the charges to the grand juries, it would have been of little consequence; for the gentlemen to whom those charges were addressed were men who, from their education and station in life, would possess enough of information to know that the doctrines laid down by the learned Judge were not the doctrines of constitutional law, nor indeed of any kind of law known in these kingdoms. He was told, that many of those gentlemen, on leaving the grand jury box, at Liverpool, had expressed themselves disgusted with the charge which had been addressed to them. Many of the unfortunate persons tried before Lord Abinger, upon this occasion were undefended. At Chester, as he found from the report to which he had before referred, there arrived the whole park of legal artillery of the Government. Down came the Attorney-general (Sir F. Pollock), the Attorney-general for the Palatine (Mr. Hill), Mr. Jervis, Mr. Welsby, and Mr. Pollock, to conduct the prosecution; whilst only a single counsel, Mr. Yardley, appeared for the defence. Hence it happened, that as two courts were sitting at the same moment, many prisoners were necessarily obliged to be tried undefended. There was always something in a special commission most adverse to the prisoners to be tried. For the holding of such commissions, the Government always appointed the time most convenient to itself. The bar did not generally attend unless especially retained. Hence the Government, with its heavy purse and well feed counsel, was always well and ably represented, whilst the prisoners, poor and without the means of offering a fee, were left to the very doubtful chance of procuring any legal aid at all. Upon the occasion to which he was referring, it appeared that Mr. Yardley was the only counsel available in the two courts for the defence of the prisoners. Hitherto, however, it had always been the benevolent maxim of the English law, "that the judge is counsellor for the prisoner." But so far from that being the case in the present instance, one of the charges that he had to bring against Lord Abinger was, that he made himself an advocate for the Crown, and that his conduct, throughout the whole of the proceedings, was most indecent and indecorous as applied to the character of a judge, and most unjust and cruel as applied to the prisoners. He would now show the House how the learned judge carried out the doctrines which he had laid down to the grand jury. He would go first to the trial of a man named Wilde, and five others, at Chester. These men were charged with attending an unlawful meeting, and rioting. In summing-up, the learned judge addressed to the petty jury very recently the same sentiments that he had already addressed to the grand jury: He said,—

"It would not be necessary to go at length through the whole body of evidence which had been presented to them. The question for the jury to decide was—first, whether that evidence went to prove the existence of a conspiracy; and, secondly, whether it identified the prisoners as connected with it. The aim of Chartist meetings he (the learned judge) considered, was to produce a general suspension of labour, in order, that by so doing, they might facilitate an organic change in the constitution of the country. All changes in the constitution, even from worse to better, were to be deprecated if effected by force and violence. He did not mean to say that men were not quietly to meet and discuss changes in the Government; but it should be remembered that Governments were not made in a hurry, but were created by a long succession of events, and the gradual improvement of mankind, who, as necessity required, made laws for the protection of persons and property; and any attempt to change those governments suddenly was pregnant with danger—it, in fact, amounted almost to treason. Now, he would ask, what were the objects likely to be obtained—what was the object sought by the advocates of the Charter? It was such a change in the laws as would give to the labouring classes the framing of all laws for the protection of property. That was the object avowed in the placard which had been produced in evidence, and the man who had been capable of writing such a placard must have had intelligence enough to know that such an object never could be effected without force and violence. It must be known that the House of Commons, as at present constituted, would never allow every man in the kingdom, whether having property or not, to have a vote for our representatives."

He wanted to know what right Lord Abinger had to say that? How did he know it? What right had he to assume it? But Lord Abinger went on—

"To have a vote for our representatives, or allow their Members to sit without a property qualification."

Then, what was to become of the Scotch Members and of the Members for the Universities of Oxford and Cambridge, who sat without any property qualification. If the universities were allowed to return representatives without any property qualification, why should not the same privilege be extended to the working classes? But Lord Abinger proceeded—

"Or, sitting, to receive a salary for their Parliamentary services. But even if the Commons should consent, the Lords would, to the last, resist the destruction of their own privileges."

Here, again, the noble and learned Lord took upon himself to answer for the other branch of the Legislature. But with what propriety could he do so? When the Reform Bill was under discussion did not the Lords resist to the last what they considered to be a destruction of their own privileges? but when the advice was given to the Sovereign by the Cabinet of which the right hon. Baronet (Sir J. Graham) opposite was a Member, to "swamp" the House of Lords, did not their Lordships give way, and allow the Reform Bill to pass. This was the charge of Lord Abinger to a petty jury. By holding out such doctrines to them, he (Mr. Duncombe) maintained that Lord Abinger's object to use the words of Lord Erskine, must have been—

"To fasten the mill-stone of prejudice round the necks of those persons in order the more effectually to sink them."

Lord Abinger went on—

"Finally, was it to be expected that the Sovereign would, without force or violence, consent to the changes proposed by the Charter?"

What right had Lord Abinger to state this? A former Sovereign, as he had already stated, consented to "swamp" the House of Lords. Why should not the present Sovereign consent to allow the working classes to vote for the return of representatives to Parliament? Lord Abinger proceeded:—

"The calling together of several thousand persons to discuss political rights was itself a farce, the object of the demagogues being invariably not to reason with, but to inflame the mob. He had always thought that a meeting, consisting of several thousand persons, must in its very nature, be illegal, because it was absolutely impossible that at such meetings there could be anything like discussion, and, therefore, for a man to say, I called together 5,000 or 6,000 persons for the purpose of political discussion, was in effect to say, that I called them together to inflame their passions."

This appeared to be too much even for the stomach of the Chester petty jury, for it appears, from the report, that they interrupted the learned judge, and desired to have no more of it. The report said—

"The jury here interrupted his Lordship, and intimated that as their minds were already made up as to their verdict, they would not trouble him with going through the evidence."

It was too much even for this jury. They had attended public meetings, no doubt, and had seen thousands of their fellow-subjects assembled for the purpose of political discussion, without allowing their passions to be inflamed. But "No," said the learned judge, "I will not stop till I have given you a little more;" and then he went on to a new subject, having nothing whatever to do with the case upon which the jury were to pronounce a verdict of "Guilty" or "Not Guilty." The report continued in these terms:—His Lordship said—

"He would only then trouble them with one observation, in reference to a statement of one of the prisoners, that the Queen lived upon the taxes taken out of the pockets of the people. Now the revenue of the Kings of England originally consisted of lands belonging to them. In the time of Edward the Confessor a great portion of the lands of England belonged to him as his private right. They would find even in Doomsday book, a very valuable document, and containing a record of all the property in the kingdom, that the King's property was there specified in the same way as that of a private individual. When William the Conqueror subdued this country, in virtue of his conquest, he took to himself the lands of those whom he had conquered, and introduced the feudal system. His revenue consisted of a vast portion of all the lands in the kingdom, besides the feudal rights, which gave him very considerable power over the lands of others. For instance, if a man died and left a son a minor, the King took upon him the property of the deceased as ward for his son. These were called the King's revenues. In the reign of Charles the 2nd the feudal rights, amounting to about 800,000*l*. a year were abolished, and a grant of 600,000*l*. a-year was given to him as a compensation, to be paid in certain taxes on small commodities which were then levied by the Government. In the reign of George 3rd, William 4th, and Queen Victoria, further immunities were given up, the Parliament undertaking to make a suitable provision for the purposes of royalty. Originally the property of the Crown belonged as much to the Crown as the estates of the Marquess of Westminster or the Duke of Bedford did to them, and if ever there had been sacrifices of property made to the public, they were made by the Sovereigns of England. Was it to be tolerated then, that assertions should be made respecting her Majesty which were false in fact, and only calculated to mislead. He had thought it right to make these observations, in order that the public might understand the real state of the question."

Let the House mark these concluding words; the noble and learned Lord thought it right to make these observations, in order that the "public" might understand the real state of the question. So, then, this was an address to the "public," not to the "jury." In the opinion of this learned judge, when men were standing before him for trial by which their liberties, almost their lives might be affected, it was his duty to address himself not to the jury, but to the public out of doors. Well, the end of it all was, that the prisoners were found "guilty." Then came the sentences. Here again the learned Lord rendered himself conspicuous. Wilde and the other prisoners having been placed at the bar, the reporter of the proceedings gave this account of what took place—

"The learned Chief Baron in addressing the prisoners said, prisoners at the bar, you have all been tried and convicted—most of you of conspiracy, in the assembling of illegal meetings, rioting, and the adoption of other unlawful means to procure a change in the constitution of the country. With respect to this charge, which is the gravest and most important that has been brought before the court, you Robert Wilde, Samuel Lees, John Fairhurst, and James Wilde, after a long trial, and the deliberate consideration of the jury, have been convicted of that offence. It appears from the evidence, that all of you were more or less engaged in attending meetings assembled together by appointment, from day to day, and sometimes two or three times a day, the object of which was to procure the largest number of persons possible, and to deliver inflammatory speeches, which you, Robert Wilde, and Samuel Lees, have been proved to have uttered against the constitution of the country and the present state of things. Your design in all this was to inflame the minds of the persons assembled, to procure still larger meetings, and, when you had sufficient numbers, and were sufficiently organised, to proceed to accomplish your object of creating an entire suspension of labour, and putting an end to all the industry within the districts in which you lived. Not only did you endeavour to suspend the labour in manufactories, but all other kinds of workmen were stopped—even agricultural labourers were prevented from following their lawful avocations. Now, a conspiracy to do this alone, if it were attended with no other result than the mere mischief and privation that must necessarily ensue to the unfortunate men whom you hindered from following their employment, is highly criminal, and very properly punishable by law. But the jury have decided that you had an ulterior political object; that you vainly imagined, by causing all labour to be suspended, that you could bring the country into such a state of distress and destitution—and which, indeed, you would have done, if your machinations had been successful—as that you might be enabled to force some political objects, which your imaginations suggested as the remedy for all the evils under which you supposed yourselves suffering. As to your suggestion that you intended to do this by moral force—the force of reason and argument applied to the judgment—what is that in reality but an absurd and fallacious pretext to cover your real designs, and to render them still more dangerous? Why, it has been proved, that at some of the meetings speeches were uttered—and I am not sure that they were not uttered by one of yourselves—in the course of which it was stated, that 200,000 men were on their march from Glasgow to turn out the cotton chaps—that your brethren (as they were called,) in Ireland were up—and that 100,000 Birmingham men (whom you thought proper to call cast-steel men, on account of their supposed imperviousness to

> the authorities, and against whom it was said a broadside would have no effect), were ready to rally round the cause of the people. Was this moral force and argument? Why, it is perfectly clear that your professions of regard for peace, law, and order, were only adopted in order to cover your baser designs; and that the real object was to give the people to understand that such physical force was about to be concentrated as would overawe the Government, and compel them to acquiesce in your demands. Nay, some of the speakers declared that the way to carry the Charter was to do as it was said was done in the case of the great Charter—go in a body to the Queen, and make the demand for it. That which is not altogether inconsistent with the history of Magna Charta was mentioned for the purpose of inspiring the people with a notion that, if you went in this formidable body to the Queen, the Government would be paralysed, and the Queen herself compelled to pass such laws as would, if they did pass, put the seal to her own destruction, and to the destruction of the constitution. However, I will not enter into a discussion of the principles of the Charter; for whether right or wrong in your speculative opinions, is a matter of no consequence. The charge is, that you attended illegal meetings, uttered inflammatory speeches, advised the people to cease from labour, and did all this with the design of procuring, by such violent and unlawful means, a change in the constitution of the country. The offence is the more dangerous, on account of the extent of the conspiracy, and the organization which seemed to prevail. It seems that you, Robert Wilde, was appointed a delegate to sit at Manchester, at which about three hundred were present. The question of the Charter was there discussed, and put to the delegates; and the great majority were for making the Charter a national question. Why I know not what is to become of the constitution of England, if the people are to be allowed to hold illegal meetings, appoint delegates, and exercise the right of legislating—if not for the nation at large, at least for the portion of it that is willing to submit to them. Let me tell you, that it is owing to the lenity of the Government in prosecuting you for a misdemeanor only, that you are not indicted for the crime of high treason; for I am much inclined to think that the principal feature which characterized all your proceedings was a design to subvert the Government; and such proceedings I am by no means prepared to say would not have been held to be high treason, if you had been charged with that offence. I say, therefore, it is solely owing to the lenity of the Government that milder proceedings have been instituted against you; but the Lord only knows with what success this lenity will be attended. The desire of the Government is, that you should be conciliated to your country—that you should no longer declare war against it, or resolve to effect a revolution which will destroy your own comforts and peace; for, supposing that your machinations should be attended with success, and all were to become labourers, consider how much more labour would be brought to market, and with what a depreciation it would be attended. I am willing to believe that some of you have been deluded by those who have had more wicked objects than yourselves in view; and an opportunity will be afforded you by which you may yet become faithful subjects, on a more just consideration of the principles upon which all governments are established. This consideration may induce you to come to the conclusion, that you must take Governments as you find them; and that, if any improvements are desirable, they must be made by gradual and progressive reasoning, and through the medium of those who are empowered to revise and ameliorate the laws for the general benefit."

He should be glad to hear from the Attorney-general and the right hon. Baronet (Sir J. Graham), whether they could defend and justify such doctrines as these. At Liverpool, Lord Abinger's charges were equally extravagant and unconstitutional, and there, perhaps more than any where else, Lord Abinger failed in the duty which attached to him as a judge, of being counsel for the prisoner, not an advocate for the Crown. This failure of duty on the part of the judge was in this instance the more to be deprecated, in consequence of the extraordinary stupidity of the jury. There were some unfortunate people tried for stealing bread. Their names were M'Cormick, Reed, Platt, Davies, and Cook. "The jury"—he was here quoting the report of the proceedings—

> "Returned a verdict of guilty against the prisoners; but the foreman said they recommended Platt to mercy. The judge then asked the foreman, who did not appear to be very intelligent, what grounds he had for the recommendation, when, amidst much laughter, he replied, that, from the prisoners' 'own discourse,' he did not appear to have been among the mob at all, but in other places. His Lordship told the foreman, that if the jury did not believe the prisoners were in the mob, that this disbelief entitled them to a verdict of acquittal, and not to a recommendation to mercy. He added, that, for his own part, he could see no doubt in the matter."

Here was a remark to fall from a judge. The jury hesitated, but the judge immediately told them that he could see "no doubt in the matter." What was the consequence? The jury immediately returned their verdict, found all the prisoners guilty, and they were immediately sentenced to seven years' transportation. Mark how this occurred. The jury doubted, the liberty of the prisoners was trembling in the balance, when up got the judge, and said, "There can be no doubt in the matter." He came now to another case:—

"James Kelly, Andrew Cosgrove, and James Dolan, were charged with having, on Tuesday, the 9th of August, unlawfully, tumultuously, and riotously assembled together, and feloniously demolished the mill and premises of Messrs. Stirling and Becton, in Lower Mosley-street. The prisoners pleaded not guilty. Mr. Wilkins said he appeared for Cosgrove; but the Attorney-general stated to the jury that he should not press the charge against him, as he found that the allegations consisted of an expression used by him, which did not legitimately bear the construction put upon it by the police-officers."

He (Mr. Duncombe) was now only showing the want of intelligence on the part of the jury, in order that the House might see how likely they were to be wrought upon by a judge taking such views as Lord Abinger. The report of the proceedings in this case continued in these terms:

"The foreman again manifested the calibre of his intelligence by saying that they found Cosgrove guilty also, after the declaration by the Attorney-general, in his address to the jury, that he should not press the charge against him! After the verdict had been recorded, his Lordship ordered Superintendent Stephenson to be recalled. On entering the witness-box he was asked to describe the state of Manchester on the day when the above offence was committed by the prisoners. He did so, and said that there were upwards of 10,000 persons assembled. Lord Abinger: What was their object?—Witness: A large number of persons came from other towns; and they went from mill to mill, and compelled the men to leave work. Those who did so joined the turn-outs, and they continued the attacks. Lord Abinger: Just so. I shall pass sentence upon these men now. The prisoners being ordered to stand up, his Lordship, addressing them, said, You have been convicted by a jury of your country of a very grave and serious offence."

Here he must remark that the manner of the learned judge in addressing himself to the prisoners, and in passing sentence upon them, was described to be such as to have created a thrill of horror throughout the court. It was so marked and striking as not to escape the comments even of the bar. The reports in the newspapers were not sufficient to show the manner and tone of the noble Lord in passing sentence. He was told that in the instance to which he was then referring, and upon a subsequent occasion, the learned Lord's manner was most indecorous and brutal to these men, and that he applied every sort of opprobrious epithet to them, such as "rabble," "vagabonds," and other terms of the like kind. These expressions were reported in very mild terms in the newspapers. The report made Lord Abinger continue his address to the prisoners in these terms:—

"Surely you have heard, or ought to have heard, that it is the peculiar blessing of the constitution of England, that there is no country in the world in which there is such ample security for personal liberty, and for the property of individuals. But if what you have been doing should be tolerated, of what avail would be the law? Of what use, I ask, would be the making of laws, if such rabble as yourselves should presume to usurp that authority, and to compel your fellow workmen to abandon their industrious employment? The law is a law of great leniency and great forbearance. It does not inflict penalties upon a man who quits his employment, and wanders about in idleness."

The noble and learned Lord then sentenced these men to twelve months' imprisonment with hard labour. In another case, where the offence was that of stealing bread, the newspaper report said,

"His Lordship, after addressing the prisoners in similar language to that applied to Kelly and another, on the previous day, sentenced them to be transported for the term of seven years. The moment the sentence was uttered, the mothers of the unfortunate young men uttered the most piercing shrieks, and earnestly implored his Lordship for mercy, in which the prisoners joined, saying they had never been guilty of any offence before. They were then removed from the dock, but it was some time before order was restored in the court."

In another instance, in which two men were found guilty of stopping mills, the newspaper report said:

"The learned judge immediately passed sentence; and, after commenting upon the liberal wages paid by Mr. Morris, and the fact of there having been no reduction in wages for three years past, and the further fact that the men employed by him were unwilling to leave their employment, ordered each of them to be imprisoned and kept to hard labour for one year. His Lordship expressed his regret that he was not empowered to inflict a heavier punishment."

These were but a few samples of the spirit of lenity in which this learned judge administered the law. With regard to the noble and learned Lord's conduct it required evidence, and that evidence must be obtained in the form of oral testimony, to give the House an idea of the tone and manner in which he conducted himself towards the prisoners. He had received statements from persons who were ready to come forward and substantiate upon oath the accuracy of what they narrated. One of these statements, coming from a most respectable source said:—

"Messrs. —— were present at the trials, and will come forward and give an account of the manner of Lord Abinger while passing sentence and summing up; they describe his manner and appearance as barely human, and that at the mention of the 'Charter,' he appeared to lose all self-command, grinning most demoniacally; and as proof of his antipathy to those who advocated Chartism, two men from a place called Dunkinfield, near Ashton, stated they were not Chartists; one of whom said he never allowed the Charter to be mentioned in his house. In answer to this set off, Lord Abinger, smiling, stated 'he should consider their case!' Since then a memorial has been sent to the Secretary of State, and they have been liberated, though they were charged with the same offence as several others who are now suffering the extreme of human misery; their names are Turner and Fenton. Fairhurst was convicted of the same offence; his friends sent a memorial to the Queen, signed by most of the influential men in the neighbourhood of Mottram, together with several magistrates, praying for a mitigation of his sentence, which has been refused, whilst the other two, who disclaimed Chartism, were released. The whole affair is so altogether so disgusting that I will not insult you by offering any remarks upon it. The facts—the damning facts—speak for themselves."

He (Mr. Duncombe) believed this to be perfectly true; and with this prejudice created in the mind of the jury and of the public with regard to Chartism, it was impossible that the prisoners could have a fair trial. If these were mere passing speeches, they would not much signify, even though they came from the lips of a judge; but when it was considered that they were terms employed upon the judgment seat, and addressed to men who were now undergoing the punishment pronounced upon them, the House would see that such language and such conduct assumed a very different character. He would now refer to the testimony of James Allinson, late a prisoner in Knutsford gaol. This man said,—

"I am prepared (if necessary) to make oath of the truth of the following statement relating to the treatment of Robert Wilde, &c., in Knutsford House of Correction. 1. That Robert Wilde told me that he and the others who went into the House of Correction together, were met by the governor, who said, 'Now you have been sent here to be punished, and I will take care you are punished; for let your treatment be ever so lenient whilst you are here, I would not give much for your constitutions when you go out.' 2. I heard the governor say to Robert Wilde, &c., in the day-room, immediately after their arrival, 'Bear in mind you men who are sent here for a long time, our rules are very stringent. You will have your bread stopped for the slightest offence, and if that should happen often, you will never be able to stand your punishment!' 3. Samuel Lees told me, 'that he and the others who were brought in with him, were taken to the tread-mill on Wednesday afternoon, that being their turn according to the usual practice; and that on the following morning (Thursday) they were again taken out to treadmill, contrary to all custom, for the amusement of several ladies and gentlemen, who were anxious to see the sport!' 4. Samuel Lees further stated, that he was sent to weave against his will, as he would be in the same building as thieves and vagabonds of the vilest description, and, also, as his overseer was a felon!' I give it as my solemn conviction, that the unfortunate sufferers now confined in Knutsford would (as I would myself) much rather be transported for seven years than undergo the punishment inflicted on prisoners in Knutsford. I further affirm it as my opinion, that if they survive their long terms of imprisonment, their constitutions (which were strong and healthy on going in) will not be worth having; for before I came out, I marked with deep sorrow their altered countenances. The food is of such an inferior quality, together with being so short, and their anxiety for the fate of their wives and children being so great, that death would be much preferable to such a lengthened period of superinhuman torture."

In addition to this, he (Mr. Duncombe) had a letter from Lees himself, addressed to his wife. It was as follows:

"Dear Wife—I write in hopes these few lines may find you and my dear child, my father and mother in good health, likewise my sister Martha, as they leave me in but moderately good at present, as I have suffered lately a little from indigestion; your visit gave me great pleasure, particularly when you told me that the master and manager had behaved so well to you in my absence, for which you must give them my thanks.

"Dear wife, I wish to give you a little advice how you should act in getting up the memorial to her Majesty, in order to get my term of imprisonment shortened; first, then, I must show you where the evidence against me was defective, nay, even false. They swore that I spoke at the meeting, on the 7th of August last, of which scores can testify to the contrary. Secondly, they swore that I did, on August 12th, state that I had been to Mr. Dalton's, and had asked a donation, he refused to give anything, I therefore advised the people to go and stop his works; this is false. But the fact is, on the Friday morning, the 12th of August, a meeting was held at Wimbery-hill, when Mr. Dalton's foreman came and stated that his master had a quantity of goods in a spoiling state, and he asked permission of the meeting to be allowed to finish them; some part of the meeting seemed disposed to refuse his request, at which time I rose on the hustings, and advised the people to grant him permission to finish his goods, which was soon granted. On the evening of the same day another meeting was held at Waddensaugh-green, when some person told the people that Mr. Dalton had been swearing in a number of specials; and what I said at that meeting was, that Mr. Dalton's works were going on till the goods were out of danger, and that the meeting, I hoped, would not interfere, but allow them to go on; that was the substance of what I stated. Mr. Lodge can speak to what took place at the meeting in the morning, and I should like him to put a line in your letter to that effect. These and many other facts I stated to the Attorney-general at my trial, and he advised that my friends should memorialize her Majesty to get my time shortened. You must see some of my intimate friends, and they will give you their advice and asistance in the matter. I feel certain that should I remain here the whole of my time, on my liberation I shall not have a constitution worth having, should I even continue in moderate health, which is far from being the case at present.

"I wish you to give my best respects to the manager, overlooker, and all my old shopmates, hoping they will give their assistance, and all my friends in villages around you.

"I shall be very happy to see you the first Monday of April, or my sister Martha, or any of my friends or acquaintances; if you come bring the child with you.

"I hope you will keep up your spirits, as your unfortunate husband has done nothing that he or you need be ashamed of. Write in answer soon, and give me all the information you can.

"I remain, dear wife,
"Your affectionate husband,
"Samuel Lees.

"House of Correction, Knutsford,
"Jan. 16, 1843."

Robert Wilde also wrote a letter, giving a melancholy description of his health, and complaining of the conduct of Lord Abinger. It was in these terms:—

"Dear Cousin—These few lines come with my kind love to you and your family, hoping to find you in good health and spirits, as they leave me moderately at present. I received your very kind and welcome letter of the 12th inst. To begin my very short letter, I must inform you and all our friends in the neighbourhood from which we come, that we can be visited on the 2d of January,* or not till the first Monday in the next month, the hours of ten and four o'clock. I shall be glad to see you here, if you can make it accord with your engagements, along with either my father or brother, or any other friends. The period of my liberation approaches but tardily, but I shall reconcile myself to the lot of happiness which falls to my share. And in order to make the best of my leisure time after work, and to have a little improvement for the mind mingled with the tortures of the body, I wish them, when they come, to bring the following books, namely—M'Culloch's and Cobbett's Grammar, Hamilton's Geographical Key, and Walker's Pronouncing Dictionary, and I shall feel much pleasure in receiving from you any small work which your library affords, sentimental or scientific; nothing theological or political will be allowed. I send my very best and most affectionate love to my dear wife and children, to my father and mother, to my brothers and sisters, and I send my sincere and warmest respects to all friends, particularly Mr. J. Mills and family, Mr. Hall, and other real friends, who have given their liberal assistance to the widowed wife and fatherless children of the unfortunate Robert Wild. * * * Dear Sir, you may form an opinion how easy it is to be contented upon such scanty allowance. The effects are already visible in my body, and physical strength so far impaired, that I tremble when on my legs after the least exertion. You will cease to be surprised when I tell you that mine is not the only case of this kind. The effects of confinement and poor diet have reduced me extremely low, which you will see when I tell you that on my arrest I weighed eleven and a half stone, and now only ten stone three pounds; consequently I have lost only one pound per week for the sixteen weeks. We are compelled when exercising, to walk with our hands behind us, which I find very inconvenient these cold days. I wish to have a pair of gloves. I have applied to the magistrates to be allowed more food, but without success.

"My paper is nearly full and time expired, I shall, therefore, close for the present, hoping that you will forward this to my father or wife, a copy of it to Mottram. By attending to my earnest request you will greatly oblige your affectionate cousin. Robert Wilde."

"Knutsford House of Correction,
December 16, 1842."

He said, that these individuals thus harshly dealt with were, to all intents and purposes, political prisoners, that it was not right or just that they should be treated either as Lord Abinger had treated them, in the first place, or as they had since been treated in the prisons in which they were confined. I hope, continued the hon. Gentleman, that I have now said enough to justify an inquiry into the conduct of this learned judge. At all events, if her Majesty's Ministers are resolved to stifle this inquiry—if they are determined not to accede to it—I hope they will at once stand up in their places and manfully say whether they approve of the political harangues which were delivered by Lord Abinger from the judgment-seat at Liverpool and at Chester. Let us know whether there are any of you who sympathise with the unconstitutional doctrines of law laid down and insisted upon by this recreant Whig. I wish to know whether the right hon. Baronet (Sir James Graham) sympathises in the political view of such a "recreant." I believe that the feeling throughout the country is universal in reprobation of the conduct of this judge, and that the people will not be satisfied unless some inquiry is instituted. But, if it be incumbent upon any persons in this House to assent to an inquiry, it is most especially so upon the friends of Lord Abinger. If Lord Abinger has been unjustly accused they will have an opportunity, if my motion is agreed to, of proving the falsehood of what I have stated. And there is this sense of justice in the British people, that if they feel that an individual has been traduced and wronged, they are always too ready and too happy to wipe away the wrong and to render to him full justice, and upon my head, and upon the heads of those at whose instance I come forward, will recoil all the shame and disgrace of not being able to substantiate the allegations we put forth. If the Government shrink from this inquiry what will be the opinion of the public? This judge is, to a certain extent, their servant. He was appointed by them. The public will say that you shrink from the inquiry, because circumstances may come out that would implicate yourselves. But if, by the force of a majority in this House, you stifle the inquiry I propose, what is to become of the character of this noble and learned Lord? Will he be respected by the people when he goes again to occupy the judgment seat at any of your country assizes? I maintain that he will not. No; he must be content to allow his name to be added to that dreadful and alarming list of ermined delinquents of former times who, forgetting alike the duty that they owed to their country and their God, are only remembered in these days by the amount of law that they violated, the persecutions that they promoted, and the judicial murders that they committed. But I will hope for better things at this day. I hope that this House is prepared to do its duty on the present occasion. I call upon you, for the sake of the poorer classes, to institute this inquiry. I call upon you, Gentlemen, who support the Government upon all occasions, to vote with me in favour of this motion. I tell you that your character is also implicated in these transactions. I call upon you, therefore, for the sake of the Government—for the sake of the institutions of the country—but, above all, for the sake of the fair and impartial administration of justice—to accede to the inquiry which I now most earnestly, but most respectfully, implore you to grant. The hon. Gentleman concluded by moving—

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* And after that on the 1st Monday in April.

"That, petitions having been presented to this House complaining of Lord Chief Baron Abinger, when presiding as judge upon the execution of the late special commission executed in the counties of Chester and Lancaster, this House do summon witnesses to the bar, for the purpose of ascertaining the language used by the said Lord Chief Baron Abinger in charging the grand juries, and in summing up the cases to the petty juries who were empannelled under such special commission, and also in passing sentences upon prisoners convicted under the same commission."

The *Attorney-General* said, he should meet the proposition of the hon. Gentleman with a direct negative. Perhaps the House would allow him, in the outset, to state the part he had taken in these transactions. Lord Abinger was appointed head of the special commission that went to Cheshire and Lancashire, and he happened to practise before Lord Abinger. He was not aware that against the conduct of the Crown, or the immediate servants of the Crown, there had been uttered one single word of complaint. He had conducted the prosecutions in the cases referred to; he had addressed the juries; he had called upon the court to inflict punishment upon the prisoners; but he was not aware—though he might be mistaken in the view taken of his conduct—that, in any part of the kingdom, any expressions had been uttered, impugning the conduct of the law officers of the Crown. He could not avoid expressing his surprise that, after the imputations which the hon. Member had cast upon the learned Judge—after the administration of justice had been so much calumniated—not by the hon. Member opposite, but by other persons—those calumnies had not been extended to any of the parties who took an immediate and active share in conducting the prosecutions. The House would, perhaps, permit him to say, that the most lenient course was adopted in the conduct of those prosecutions; and that, though in many of the cases connected with these extraordinary outrages, charges of high treason might have been preferred, and as he thought successfully supported, it was not considered advisable to prefer charges of so grave and serious a nature. In the calendar of cases which came before Lord Chief Justice Tindal there was a charge of high treason; and it was chiefly in alluding to that case that Lord Chief Justice Tindal directed those observations which had been so much commented upon, and so justly commended, though it appeared to him that those commendations had in some measure been bestowed for the purpose of casting odium upon the charge of Lord Chief Baron Abinger. The House would, perhaps, allow him to call its attention to the manner in which this charge had been ushered in. He did not find that any petitions had been presented to the House from any of the relations or friends of one single person who was tried on the occasion to which allusion had been made, or that any petitions had emanated from the prisoners themselves, although many of them still remained in confinement. The hon. Member would correct him if he was in error, but he repeated that he did not find that any one individual among the persons who were supposed to be suffering from the conduct which had been complained of had presented a petition to that House. Nor did he find that any one Gentleman who had practised before the courts, either as attorney or advocate, had either presented any petition, or had given instructions for any statement to be made upon his authority as a member of the profession, that irregularity or excess of any kind had been committed by Lord Abinger. Neither did he find that a single petition had issued from any of the juries who were supposed to have been misled, or from any one of the grand jurymen whose feelings were supposed to have been outraged, by the charge of the Lord Chief Baron. He did find, however, that some six petitions were presented before the 10th of February, from Hull, Marylebone, Norwich, Loughborough, Newport, and Barnsley; on the 13th a petition was presented from Brighton; and on the 17th, fourteen petitions were presented, the majority, he believed, being from the immediate neighbourhood of London; but not one of these petitions had emanated from any person who professed to have been present at the trial, or to be able to afford the House any personal information on the subject. He should, he hoped, be the last Member of that House who would either throw any doubt on the right of petition, or who would question the duty of the House to attend carefully and anxiously to all petitions which were presented to it; but he thought, that in this case, in the total absence of any petition from any person who complained of injury, or who knew that anything had been done, calling for the interference of the House, they might fairly infer that the parties who had made the statements to which the hon. Member for Finsbury had referred, must either have been misled by exaggerated reports, or that their statements must in certain particulars be destitute of foundation. He was aware, that comments had been made in the public papers; and the hon. Member had cited certain passages from articles which appeared, he believed, in *The Times*, the *Chronicle*, the *Morning Herald*, and other metropolitan journals, and in one county newspaper, to show that the writers in those papers disapproved of the conduct of Lord Abinger. Why, if it was meant by the paragraphs which the hon. Member had read, that the writers disapproved of Lord Abinger's introducing party politics in his charge to the grand jury, he (the Attorney-General) entirely agreed with them. But he denied the fact. He repeated that he denied the fact; if the hon. Members opposite would attend to the few remarks which he intended to make upon the charge itself, he would undertake to satisfy the House that nothing like party politics were introduced by Lord Abinger in his charge. The hon. Member had cited two precedents. He had mentioned the case of a Welsh judge, who was also a magistrate for the county, and to some flagrant misconduct on whose part, if he recollected rightly, the attention of the House was called many years ago, by the present Lord Chief Justice, who then represented the town of Nottingham. He believed the complaint referred to the misconduct of that individual as a magistrate, not as a judge. The House entertained the question, because it was brought forward distinctly; and certain statements were made by the hon. and learned Gentleman who then represented Nottingham, which, if true, imperatively demanded inquiry. He believed, however, that it was not deemed expedient to move an address to the Crown on the subject of the misconduct of that learned judge. The other case was one from which he should have thought the hon. Member for Finsbury would have drawn very different conclusions from those which he had adopted. It was admitted on all hands that a judge not only might allude, but that it sometimes became his duty to allude—to political affairs. The noble Lord, the present Secretary of State for the Colonies, who at the time, he believed, filled the same situation under another Government, said, "It is not only his privilege—it may be his duty." The case against Baron Smith, as presented to the House by the present hon. and learned Member for the county of Cork, who then represented the city of Dublin, was this—that, at a country assize where there were only seventeen cases of cow-stealing, pig-stealing, and bigamy, but where there was no offence of a political nature for trial, the learned Baron had made certain observations on the general state of the country, and had introduced matters which at that time were considered to partake of the nature of party politics. Such was the charge against Baron Smith, and the House by a majority, he believed, of ninety-three, referred the subject to a Select Committee; but when the committee came to be nominated, it was moved, that the order for the appointment of the committee should be discharged; it was then felt, that with reference to the charges made against Baron Smith, it did not become the dignity of the House to trifle with its important duty in investigating the conduct of a judge, and the order was discharged. These were the two instances in point of precedent on which the hon. Member founded his case for calling upon the House to hear witnesses at the bar in substantiation of his charges. There would be no necessity to call witnesses to prove the delivery to the grand jury by Lord Chief Baron Abinger of the charge to which the hon. Member had referred, for that charge had been published by Lord Abinger himself. If the noble and learned Lord had omitted from that publication any material expressions which had actually fallen from him, if he had presented it to the world with important emendations, he thought such a circumstance would not have escaped the notice of the hon. Member for Finsbury, who would doubtless have stated the fact to the House. He had taken the pains to collate the charge of Lord Abinger, as contained in a newspaper, which he had obtained without the slightest reference to the political principles which it advocated, with the edition published by his Lordship's authority; and, as far as he could discover, there was not in the latter copy any material omission or alteration from the beginning to the end. It was true that some expressions were slightly altered, but both were substantially the same. He must ask the permission of the House, before he proceeded to allude to Lord Abinger's charge, to direct their attention for a few moments to the state of the country at the time the special commission was issued. He did this with very great regret, and he owned that he could have wished that the hon. Member had postponed his motion until the most important of those trials—at least as far as the county of Lancaster was concerned—to which the hon. Gentleman had referred had been concluded. He felt himself compelled to speak with great moderation, when he remembered that the language which he now used might be circulated throughout the county of Lancaster, whither he was to proceed to-morrow week to conduct a trial—and a most important trial—against the leading and the principle offenders with respect to the late disturbances. But he must do justice to the noble and learned Lord. The House was aware that during last year, within a very short time, an insurrection broke out in no less than seven or eight counties. He had become more particularly acquainted with the details of the insurrection in the counties of Chester and Lancaster; and he believed that in those counties not less than from fifty to 150 mills were stopped, and above 50,000 persons—he thought 150,000 would be nearer the mark—a large majority of whom were desirous to remain at their work, were, by the proceedings of certain parties, awed into leaving their customary employment. In Lancashire and Cheshire, he was happy to say, none of that violence was exhibited which was exercised in the county of Stafford. In some very few instances lives were lost; and for ten days or a fortnight large bodies of men, varying in number from 2,000 or 3,000, to 7,000, 8,000, or 9,000, marched about the country stopping all the mills, and preventing the progress of every species of labour. A body of 9,000 men marched into Manchester and took possession of the town. They professed to enter under the banners of peace, and they gave such promises as induced the civic authorities to withdraw the military, and to permit them to march into the town. They dispersed themselves throughout the town — the shops were closed — and the provision shops were either broken into by parties of the insurgents, or the tradesmen were compelled by threats and menaces to give them food. In one instance a workhouse was entered, and the bread provided for the poor was carried away by the mob. At this time two deliberative bodies were holding their meetings in Manchester, by one of which placards of the most inflammatory nature were issued, desiring the people to arouse themselves to resist the tyranny under which they lived, to cease from all labour, and to take care to get arms, promising them, that after the lapse of a certain period, if they were prepared to use the advantages which nature had given to them, they would succeed in obtaining the Charter. The Charter had nothing to do with the administration of justice; but he would ask the House if Lord Abinger was not perfectly right, when it became his duty to address the grand juries in the counties of Chester and Lancaster, to point out how nearly the conduct which had been pursued verged upon the crime of treason, if indeed it fell short of it; and, in his humble opinion, it did not? Was not the noble and learned Baron perfectly right in pointing out that, though it was lawful to discuss any question in a proper manner by pamphlets, by lectures, and even by public assemblies of a peaceable character, yet that the people had no right, by force, by menaces, by compelling persons to abstain from labour, and so interrupting the peaceful industry of the country, to carry the terrors of something closely resembling civil war into every parish, and into every house of every parish—and for what purpose? To carry the Charter. These were the proceedings against which the charge of Lord Abinger was directed—not against anything like the free discussion of public questions. The House would, he hoped, bear with him while he mentioned some facts which would show the frightful extent to which this system of combination and conspiracy was carried. To such an extent was the system of interrupting labour carried, that in four or five towns there sat a committee, called, he believed, "the committee of public safety," whose business it was to mitigate the tyranny of the mob, and permit persons to perform certain works of necessity or mercy. For instance, if a family lost a near relative, and it became necessary for them, out of decent respect to go into mourning, the tailor was compelled to make application to the committee of public safety before he could call together the journeymen in the trade. It had been proved in evidence, that in one case a tailor went before a committee of twelve or fourteen mechanics or labourers, who were sitting at a table, and who called themselves a committee of public safety who heard his application to be allowed to employ workmen. They debated as to whether or not such an infraction of their rules should be allowed; and eventually a memorandum in writing was given to him, which was produced in evidence, permitting him to make a certain number of suits of clothes. But this was not all, for the next day the committee of public safety assembled the people in the market-place, and informed them that they had granted this license, asking and receiving the popular sanction for their act. He mentioned this circumstance to show the House how deep, how extensive, and how well planned a scheme was in operation, and he might add, that in the counties of Chester and Lancaster six or eight of these committees were established. What, then, must have been the state of things in August and September, when the special commission was issued? Why, if extraordinary vigilance had not been used for the purpose of preventing the spread of the insurrection, it was difficult to imagine what lamentable and dreadful consequences might not have ensued from this effort to carry by force, and by violent agitation, what were called "the points of the charter." He would now proceed to allude to the charge of Lord Abinger. It was to him a matter of indifference whether he read the speech from the newspaper report or not; but, perhaps, it would be more convenient that he should quote from the edition which his Lordship had sanctioned. The hon. Member for Finsbury went through a portion of the charge delivered by Lord Abinger at Chester. I find the Lord Chief Baron says, at page 14,—

> "You will find that there is a society of persons who go by the name of Chartists, and who if they have not excited or fomented these outrages, which will be brought under your notice, have, nevertheless, taken advantage of them for their own purposes—have endeavoured to prevent the unfortunate people from returning to their work, and sought so to direct them, that by a stoppage of all labour, they may be conducive to the attainment of their objects."

He might venture to say, that scarcely a case came before the jury at Chester, in which this was not proved. The noble and learned Lord then says,—

> "What are the points of the Charter? Annual Parliaments, universal suffrage, and vote by ballot. Yes, gentlemen, you will find by the evidence that will be produced before you, that it has been inculcated upon many misguided persons that the sovereign remedy for all abuses, and the only means of putting themselves in possession of such a share of power as would enable them to vindicate their own rights, and secure themselves against oppression, is by the enactment of what they call the People's Charter."

His Lordship then proceeded to make some comments upon what he considered might be the effects of this Charter. He must say, that he did not think it was unbecoming, on such an occasion as that on which this charge was delivered, for one of the judges of this kingdom to vindicate before a grand jury the institutions of his country. Did they mean to say, that if a case of gross immorality was brought before a learned judge, he was to be debarred from making any remarks, the tendency of which might be to uphold a reverence for the laws, and a decent observance of those duties of private and public life which were the foundations of sound morality? Did they mean to infer, that in the case of any public crime which might be brought under the notice of a judge, it was not his duty, in general terms, to make such observations with reference to the offence as might promote in the minds of the grand jury and of the people a reverence for the laws and an attachment to the institutions of their country? He could not understand why a learned judge should be debarred altogether from alluding to the institutions of the country. The hon. Member for Finsbury had charged the learned Chief Baron with having offered an insult to America. It appeared, however, that the learned judge had alluded to America with great respect. He said,

> "There is a country which cannot be spoken of without respect and attachment, as emanating from ourselves — I allude to America."

The learned judge then pointed out some of those consequences which resulted from democratic government. Some hon. Gentlemen might think that this allusion was injudicious; but his opinion was, that if the object of the learned judge was merely to draw the attention of the grand jury to the love, veneration, and respect they owed to the constitution under which they lived, then the noble and learned Chief Baron had performed no more than his duty. The hon. Member for Finsbury then proceeded to notice the charge delivered by Lord Abinger at Lancaster; and though he (the Attorney-general) was sure the hon. Member had not the slightest intention of misrepresenting what the noble and learned Lord had said, yet his statements were calculated to produce a very different impression upon the House to that which would be made by a perusal of the charge. He would mention an instance. Lord Abinger said, alluding to those persons who demanded a change in the constitution,—

> "But, gentlemen, you will find these recommendations always accompanied by false and exaggerated statements of the general feeling of the country."

Now, the passage which followed he (the Attorney-general) most distinctly remembered. Lord Abinger thought it right to call the attention of the grand jury to these facts, for the purpose of showing that the object of the persons who thus assembled was not peaceable discussion and deliberation, but that their object was to overawe and to intimidate, and by something nearly approaching actual force to obtain the adoption of the measures they advocated. The noble Lord said,

> "The people were told that all England was in arms, that Scotland was pouring forth hundreds of thousands of men, that Ireland was coming to the battle; and that the men of Birmingham, to the number of 100,000, armed with steel, and fearless of the force of the military, were ready to join them and carry

the day. These are circumstances which plainly show that these parties endeavoured to delude the multitude they addressed with the notion that their force was becoming irresistible, and that they might effect their objects by alarming the Legislature, or by imposing restraint even on the Sovereign."

He (the Attorney-general) would venture to vouch to the House that every syllable of that statement was to the letter true; and did the hon. Member for Finsbury mean to say that persons might assemble together by thousands and thousands, that they might encourage each other by the representation that England was favourable to their objects, that Ireland was ready to join them, that "the men of Birmingham, to the number of 100,000, armed with steel," were marching to assist them; and would he contend that to persons who might be charged before him with offences arising out of such proceedings, a learned judge was to declare, "Go and deliberate; consider among yourselves whether you will support universal suffrage, vote by ballot, no property qualification, and all the points of the charter. From the throne of justice I pronounce, that your proceedings are perfectly legal; you have a right to meet, to discuss, and to deliberate upon public questions, and therefore I dismiss you?" If they chose to construe the expressions of the noble and learned judge to infer, that all attempts to alter the constitution were to be put down, doubtless the charge of the noble Chief Baron was unconstitutional; but the observations of the learned judge did not warrant such an inference. What the noble and learned judge meant to say, and what he did say, was this—

> "If you bring forward force, by which you may control and overawe the Government,—and if you use it, or conspire to use it, you are guilty of treason—at all events a combined conspiracy to effect these objects is as high an offence as can be committed."

The hon. Member for Finsbury said this was a new doctrine respecting the crime of treason. Would the House allow him to quote the words of Lord Abinger?—

> "By the law of this country the crime of high treason is technically limited to an attempt on the life of the Sovereign, or to raising war on the Sovereign; but the judges have from the earliest times considered that a conspiracy to levy war, and to employ force to restrain the will of the Sovereign, is an overt act of high treason; and, if satisfactorily proved, is sufficient to justify a jury, when combined with the intention of really imposing restraint on the Sovereign, in finding it to be high treason. I do not understand that the Government intend to push the indictments to that extent, and these people owe it to the lenity of the Government that they are not placed in a position hazardous to their lives."

Then the hon. Member found fault with the charge in another respect. The hon. Member said,

> "Here is again a new doctrine. No assembly of the people is to be allowed. Every assembly of 2,000 or 3,000 of the people is an unlawful meeting."

And the hon. Member cited the cases of the Lord Mayor assembling the livery in common-hall, and of the sheriff convening a meeting of the freeholders for the purpose of a county election. He must confess that he thought the zeal of the hon. Member had a little overstepped his discretion and accuracy. [Mr. *Duncombe*: Had quoted from the charge of Lord Abinger to the petit jury.] He took a note of the hon. Member's observation, which he made long before proceeding to allude to the charge to the petit jury. Lord Abinger said—

> "An unlawful assembly is an assembly collected together for some illegal object; and in case it exhibits by its acts and conduct some improper design, or excites alarm among the well-disposed subjects of the Queen, it is a riotous assembly."

Where was the candour of the hon. Member, when he called upon the House to apply this doctrine to the meeting of the Livery of London at the call of the Lord Mayor, or to the assembling of the voters of a county for the purposes of an election, in compliance with the notice of the sheriff. The noble and learned Lord observed,

> "A great deal had been said at different times as to what should be considered an unlawful assembly."

But immediately preceding this, the noble Lord said,

> "An unlawful assembly is an assembly collected together for some illegal object."

And the former passage must, therefore, be read with this introduction. The noble and learned Lord said then—

> "A great deal has been said at different times as to what should be considered an unlawful assembly; and I am sorry to say, that

what has taken place in this county has given rise to discussion on the point both in courts of law and in Parliament; but one thing is clear, that an assembly consisting of such multitudes as to make all discussion and debates ridiculous and a farce, never can be assembled for the purpose of deliberate and calm discussion."

He hoped that the good sense of the House and of the country would support the law, and prevent the adoption of the principle that, under pretence of being a deliberative assembly, from 9,000 to 15,000 men might be collected in the open air, to consider whether or not the Constitution of the country should be altered, and might come to this conclusion :—

"Now let us separate; let one portion go to one place and stop labour there, and others to another quarter, and restrain labour there."

If the hon. Member opposite chose to pick out an isolated passage from Lord Abinger's charge, and to say that he would take that passage apart from the context, he could only say, the hon. Member was at perfect liberty to do so; he could not prevent the hon. Member from pursuing such a course; but he would appeal to the candour and good sense of the House whether the connected passages ought not to be taken together? The noble Lord proceeded :—

"Will any person in his senses say, that when a man assembles together 3,000 or 4,000 individuals, he does so to form a deliberative assembly, to discuss speculative points either of law or government? Such a profession would carry with it its own refutation. If, therefore, an assembly consists of such multitudes as to render all notion of serious debate impossible—or, if you find that at such an assembly all attempts at debate are put down, and that the only object of the parties is to hear one side, the meeting ceases to be an assembly for deliberation, and cannot protect itself under that pretension."

Such was the case with these meetings; every man who endeavoured to speak in opposition to the objects of the meeting was at once put down.

"Again (the noble and learned Lord continued), assemblies of such magnitude, without a president, or any one empowered and able to restrain and dissolve them, must lead, as every one will see, to alarm, and terror, and to the disturbance of the peace. Such assemblies are in themselves unlawful; and if their conduct occasions a breach of the peace"—["Hear, hear."]

He begged to inform hon. Members who cheered, that the learned judge was speaking of large assemblies, which threatened disturbances of the peace. The doctrine really laid down by the learned judge was this—that an assembly of this description, the tendency of which was to lead to alarm, terror, and disturbance of the peace, was an unlawful assembly; and he must say, that he entirely concurred in this opinion. The noble and learned Chief Baron proceeded—

"If you, Gentlemen, find individuals among those assemblies who, by their conduct, manifest intentions of violence and mischief, and proceed to the extent of committing outrages on property, and preventing the free employment of labour, those men are rioters in the worst sense of the word. It will be your duty to find bills against all persons proved to be concerned in such proceedings."

The only other portion of the charge to which the hon. Member opposite adverted, was that in which the noble and learned Lord referred to the probable consequences which would follow the success of the designs of such men :—

"They show by the example of their own conduct, by the violation of the law by which they live, how little calculated they are to compose a Legislature like that which they aim at as the result of the Charter. The consequence of the success of their endeavours would be, not a reform of Parliament, but a subversion of the Government; because everybody who reflects on such things, knows that the establishment of any popular assembly entirely devoted to democratic principles, and elected by persons the vast majority of whom possess no property, but live by means of manual labour, would be inconsistent with the existence of the monarchy and the aristocracy."

This address must be taken in connection with the facts before them; it was not an address for the jury to carry home and to study at their leisure, but it was an address delivered to them by the noble and learned Lord, upon which they, the jury, were to act in reference to the business that was to come before them, and in reference also to that state of things, and the preceding events which had led to the special commission under which the noble and learned Lord had been called upon to preside. Having said thus much of the charge itself, he begged to call the attention of the House to two other points upon which the hon. Member for Finsbury had dwelt at some length. The hon. Member had stated that upon one of the trials the jury had expressed themselves disgusted with the summing-up of the noble and learned Lord; and if he had understood the hon. Member right, he said they "were so much disgusted, that they stopped the noble and learned Lord, and immediately found the prisoners guilty"—in other words, being satisfied of the guilt of the prisoners, they stopped the learned judge in his summing-up; but he found no expressions of disgust. [Mr. *T. Duncombe*: They said they had had quite enough.] All that the jury appeared to have said was, that they were satisfied as to the guilt of the prisoners, and that his Lordship need not dwell any more upon the nature of the case, for that they were prepared to find them guilty; and he believed the noble and learned judge, though perfectly of that opinion, but still desirous that the jury should not appear to find them guilty with the case incomplete, interposed—than which nothing was more common even in civil cases when the jury interposed, and said, "Permit me to lay down the law to you, and do not come to a premature and hasty conclusion, and decide upon a half-heard case." Now, with respect to the charges, he would take leave to make this statement,—that he had himself been present from the moment the grand jury had been charged, and was not absent from the court for more than five minutes during any part of the time that Lord Abinger sat. It was admitted to be the usual practice that the bar generally was not present in court before the grand jury were charged, and he could assure the hon. Member and the House that, acting upon that custom, he was not in court during the delivery of the charge, but that he was present on every other occasion—that he opened the prosecutions in that court—was present when the whole of the witnesses were examined—heard also the summing-up of the noble and learned judge, and remained in court after the verdict to call for the judgment of the Court, when the verdict had been returned. He, therefore, was never more astonished than when he heard the statement as to what had taken place which had been made by the hon. Member for Finsbury, and therefore he should be glad to know from what source the hon. Member derived his information?—

Mr. *T. Duncombe*: From *The Times* and the *Manchester Guardian*. *The Times* gives the interruption by the jury; but the summing-up is more fully reported in the *Manchester Guardian*.

The *Attorney-General* was obliged by the information, because his own impression as to what passed was entirely the other way. He had no recollection whatever of any part of the conduct of Lord Abinger that had excited from the prisoners and the spectators any of those emotions or feelings which the hon. Member had described. He felt this part of the hon. Member's charge somewhat personally, for he could not conceive how it was possible that counsel could have allowed case after case to go on with the judge conducting himself with the violence imputed, unless they themselves had participated in the conduct which was now made the subject matter of charge against the noble and learned Lord. The hon. Member had stated, that the parties under prosecution had not had the benefit of counsel on their trials. Now, he believed he was correct in his recollection when he said that there was no case tried at Liverpool in which counsel did not appear for some one or other of the prisoners, and that at Chester counsel appeared nearly for all. It was perhaps the same Gentleman, and he believed, if the hon. Member would refer to him, he would find that both from the bench and the bar he received every courtesy and assistance. There was one part of the summing-up of the noble and learned judge which he could not go to the length of the hon. Member in condemning. The prosecution, be it remembered, was for very inflammatory language held in a tumultuous assembly. In the course of that language the name of the Sovereign had been introduced coupled with remarks upon the expenses of royalty, and a statement that those expenses were so much encroachment upon the interests and comforts of the poor. Now, he thought Lord Abinger was perfectly right in instantly correcting the erroneous views of the misguided persons to whom such language had been addressed. The noble and learned Lord in his summing-up stated only that which was matter of history, and perfectly true, namely, that the Crown had formerly very large possessions wholly independent of grants from Parliament, and of which the Crown had made concessions to the State. If those had been retained, he believed the hon. Member for the University of

Oxford had held on former occasions, there would be very little necessity for the Crown to come to Parliament for any assistance at all. Lord Abinger, however, did not go that length, but contented himself with stating that there had been extensive rights which had been surrendered by the Crown for the benefit of the state. Now, with respect to the sentences which had been passed by Lord Abinger upon the persons convicted before him at the special commissions over which that noble and learned Lord had presided, he would ask the hon. Member who had brought forward the present motion, whether he had taken any pains to contrast the sentences passed at Stafford with those passed at Chester and Liverpool? or whether he had compared the sentences passed by Lord Abinger at Liverpool with those passed by Mr. Justice Cresswell and Mr. Baron Alderson, the learned judges who sat in the other two courts? If the hon. Member had taken the trouble to inquire he would have found that Lord Abinger and the other two learned judges he had named assembled on the evening of each day, and it was after the fullest consideration of all the facts of each case that the sentences eventually passed emanated from the united judgment and opinion of all the three learned personages. He thought before the hon. Member brought forward charges of this description, it would have become him to move for a return of the sentences passed at Stafford by the different learned judges who sat under that special commission, in order to ascertain whether there existed any discrepancy which could make out Lord Abinger to be that tyrannical, inhuman and cruel person he was described to be, as compared with the other judges of the land. When he stated the sentences at Liverpool to have been the result of communication between the judges at that commission, he stated that which was almost within his own personal knowledge; and this further he well knew, that from first to last Lord Abinger was at all times ready and willing to listen to any application for mercy, come from what quarter it might. It would not become him to say anything of the views he entertained upon going down to represent the Government on this unfortunate occasion; perhaps, however, he might be permitted to say that from the beginning to the end of those proceedings he had himself used no expressions that another individual could cavil at—that in opening the cases for the prosecution he had merely stated facts—indeed, understated them in most instances—he had listened to the recommendations to mercy—his instructions from the Government were to adopt that course—he not only listened to recommendations, but he had looked out for cases to which mercy could be applied, and he begged to say, that in this respect there existed, as far as he could judge, the most perfect sympathy between the bench and the bar. As an instance, he would mention the case of a man named Cosgrove, the testimony against whom chiefly consisted of some ambiguous expressions used by him. Those expressions had been pointed out to him, and when he found that there was nothing but the evidence of a policeman to make out a solitary expression of a doubtful nature, it appeared to him that it was not a case in which he should be justified in proceeding, and he had therefore abandoned the prosecution. In another case there was a person who had undoubtedly been mixed up with a riotous proceeding, but in the course of the trial it was stated by the prosecutor (the owner of the mill which the rioters had endeavoured to stop, and who identified the prisoner as one of the parties) that up to the day before the outbreak he had been in good work, and that he was a young man who by his labour supported an aged mother. In his reply he had urged this topic as a ground for mercy. That view of the case was taken up by Lord Abinger, and the man was instantly discharged upon his own recognizances. Now, this mercy had been extended under the circumstances to this young man, although up to the time of his offence he was in full work and had nothing to complain of; and here he might, perhaps, be allowed to state, that although beyond all doubt there did exist in that district a degree of heart-rending distress which it was impossible to contemplate without the deepest emotion—although sufferings were borne and privations endured with a fortitude it was impossible to witness without the strongest sympathy, yet he should be wanting in justice to those who were suffering that distress and those privations if he did not state that the persons brought before the court to receive punishment for the part they had taken in the insurrections were not of the class of persons who had encountered those sufferings and undergone those privations. Generally speaking, he did not remember an instance. It turned out that the persons who really suffered endured in secret, and kept aloof from crime, and that the persons who appeared before the public to be punished as criminals were either persons who had been in full work, or individuals who had been maintained out of some fund or other in order to induce them to abstain from labour until the Charter was obtained. With respect to the case of Turner and Fenton, it was very true they had been sentenced as the hon. Member opposite had stated, but some circumstances connected with those men having transpired an intimation was given to them to apply for mercy. They did so; a reference was made to the right hon. Baronet the Secretary of State for the Home Department; the right hon. Baronet referred the application to Lord Abinger, who made his report in favour of the two men, and their sentence was commuted. [Mr. *T. Duncombe*: They were not Chartists.] That circumstance had formed no ingredient in the matter, for the sentence had been commuted because some doubt had been raised as to whether they had taken that part in the transaction which the evidence on the trial had imputed to them. He had seen many of the unfortunate and misguided men who had been involved in the charges which led to the issuing the special commission; full one-third of the cases had been tried in the court where Lord Abinger presided, and in which he had been the leading counsel for the Crown, and he must say that, apart from the crimes with which they were charged, many of them conducted themselves with ability, with respect, with a degree of education, and as if above the situation in which they were placed. He (the Attorney-general) should be extremely sorry to find that, in the case of the two men alluded to, the sentence of the law which had been passed upon them was aggravated by unnecessary severity in prison, or by the taunts of the judge; but he thought it would have been more fair and candid on the part of the hon. Member for Finsbury, if he meant the House to come to a dispassionate investigation of the conduct of Lord Abinger, if he had omitted from his speech that part which had reference to the period at which the special commission had issued, for which Lord Abinger was no more responsible than the hon. Member himself. His answer to that part of the charge was simply this—that, as far as the Government was concerned, the state of the country at the time called for the instant interference of the law. The same opinion he had expressed at Monmouth, while defending the persons there accused, with all the zeal and all the learning of which he was master; he had then felt bound to admit that he had no complaint to make that the dignity of the law had been assumed as soon as possible after the commission of the offences. He had made no such complaint then, nor could it be justly made in respect of the more recent special commissions; for be it remembered that at those commissions persons charged had the opportunity of traversing to the next assizes, and that actually many of the persons in affluent circumstances had availed themselves of the opportunity the law afforded them, and would be tried at Lancaster at the ensuing assizes. With respect to the motion now before the House, he found that the only petition which had been presented which would show the House the sort of complaint which was made, and to which he begged to call the attention of the House, was a petition from the town of Kingston-upon-Hull upon the subject of the accusations against Lord Abinger. The petitioners commenced by stating,—

> "They deeply deplored and regretted the degraded and distressed condition of their fellow-subjects in many parts of the kingdom."

Who was there, he begged to ask, possessing a spark of patriotism, who did not deplore that condition? The petitioners then went on to say, that—

> "The persons convicted before a just judge and an honest jury of any real crime connected with the lamentable outbreak should receive such punishment only as was proportionate to the wrongs proved to have been thereby inflicted upon society"

This was a bad criterion as to the amount of punishment, but he for the instant would accept it, for certainly no greater wrongs could be inflicted upon society than had been effected by the outbreaks and events which had occupied two months of the last year. But the petitioners further observed, that—

> "The benefit of fair and impartial trials had not been afforded to the parties charged at the special commissions at Chester and Lancaster, that the trials had been hastened on at a time

when great excitement prevailed, and with an utter disregard to the interests of the accused."

Now, he declared there was not the slightest pretence for saying that any application for the postponement of any trial having been made had been refused. the petitioners further stated that,—

> "James Scarlett, Baron Abinger, Chief Baron of the Court of Exchequer, had delivered certain charges which were improper, of a political tendency, and calculated to exasperate and influence the minds of the jury."

And they prayed the House to institute an inquiry into his conduct, and to present an address to her Majesty, praying that she would be pleased to visit Lord Abinger with a mark of her royal displeasure such as might induce other judges to avoid pursuing a similar course. Now, he must say, with every respect for the hon. Member opposite—with all respect for the zeal he displayed in the public service, and for the eloquence and ability with which he urged his views—with every respect for all the hon. Member's good qualities, he felt called upon to meet this motion with a decided negative. He thought the House would very ill employ its time and attention in listening to accusations of this description, unsupported by even any ordinary indication of there being the slightest substance in them, or even the smallest complaint from anybody implicated in the proceedings to which the charges had reference. The character of Lord Abinger did not stand in need of this inquiry. His character as a highly honourable man who had filled various public situations with honour to himself and benefit to his country—the oldest member of the profession of which he was one of the brightest ornaments, could not require any praise from him (the Attorney-general). With respect to his brilliant career, he believed all Westminsrer-hall would bear ample testimony, and would declare that no man had exhibited more usefulness—as a judge none had brought more temper, abundant learning, acuteness, and ready adaptation of those qualities to the bench, and who disposed of the business of his office with a despatch and a satisfaction that was almost unexampled. This species of praise the noble and learned Chief Baron wanted not; nor should he have ventured to utter it, but it was extorted from him by the occasion; and he thought it would ill become the House to waste the high functions that belonged to it—for he did not deny the proper vocation of the House of Commons for such inquiries in general—in an inquiry founded upon such charges as those which had been brought forward by the hon. Member; but he wished the House to attend to the speech of the hon. Member, and notice how signally he had failed on this occasion in establishing his case, and he wished to spare the House the discredit of taking up this ground of attack upon the noble and learned judge; he was anxious, moreover, to shield the noble and learned judge, after a life of utility, from that species of dishonour which would flow from making him the subject of an inquiry on imperfect grounds, and from the public suspicion which would arise from it, that he had misconducted himself on an important occasion, when his services were called for by her Majesty's Government.

Mr. *Ross*, after observing that if at that stage of the debate he rose to offer one or two remarks, it was only in consequence of the absence at that moment of hon. and learned Gentlemen better qualified to sustain the motion of his hon. Friend, proceeded thus: "I think a great deal of what has been advanced by the hon. and learned Gentleman might well have been spared, and particularly the closing appeal, which was nothing but an '*argumentum ad misericordiam.*' If an aged and venerable judge has been so far forgetful of his high and solemn duties as to excite prejudice in the minds of the jury against prisoners on their trial, that is no reason why the House should shrink from the discharge of its duties however painful they may be. The hon. and learned Gentleman has, in my judgment, altogether failed in showing that inquiry is not necessary. I have listened with the utmost attention to the debate, and I must say there has been established a *primâ facie* case of misconduct. I feel myself bound also to protest against the doctrine laid down both by the learned judge and his apologist as to what constitutes an illegal assemblage. We are told that if a large number of men assemble, deliberation is impossible, and the meeting assumes a character of illegality. Sir, I maintain, in opposition to this doctrine, that a peaceable meeting held for lawful purposes is not illegal, whatever may be the amount of its number. To maintain the reverse is most dangerous. Once upon a time a certain great meeting was held at

Penenden Heath, will hon. Gentlemen opposite pronounce that meeting illegal; and yet there was but little deliberation there. Again, a meeting over which a noble Friend of mine, whom I do not see in his place, presided, was held a few years ago at Hillsborough—it was most numerously attended, the country gentlemen marshalling their tenants like clans and bringing them down in vast numbers. The whole thing passed off quietly. They met for the purpose of censuring the Government of the day, passed resolutions, and then dispersed; will any one venture to say that meeting was unlawful? I think not. I think it unconstitutional to apply that term to a meeting characterised by no violence or outrage. From what I know of the history of this country, I should conceive that if such an opinion as has been advanced was to go forth as sound, very great danger to public liberty might be apprehended. One judge might think 4,000 persons, another 3,000, another 1,000 too great a number to be allowed to meet. The circumstances which precede, and above all those which follow, meetings of this description, ought to have weight with a judge in forming his opinion and pronouncing on the character of the meeting. But if no violence precede or accompany the largest assembly that can be formed, it is unconstitutional to condemn it, and hold them who are found liable to punishment. If I am wrong, my presence at the great meeting held two years ago at Leeds, when an attempt was made to bring the Chartists to ruin, and no less than 8,000 men sat down in Mr. Marshall's mill, was unlawful, and I might have been apprehended for sitting there. But I do not think I was open to any such charge, or that any constitutional lawyer could be found to pronounce that meeting illegal. Sir, I shall give my support most cordially to the motion of my hon. Friend.

Mr. *Thesiger* said, that after the able defence of the Lord Chief Baron which the House had just heard from his hon. and learned Friend, he did not think that he ought to trouble the House at any very great length. With the utmost respect and esteem for the noble and learned Lord, he must say that he was thoroughly convinced that there was not the slightest foundation for the attack which had been made on his judicial character, and he felt so strongly the inconvenience and detriment that must ensue to the House and the public business if motions like that of the hon. Member for Finsbury met with the approbation of the House, that he could not give a silent vote on the occasion. It was not possible to conceive a more important function than that of inquiring into the conduct of the judges of the land, and such an inquiry ought to be proceeded in by the House upon no light or trifling grounds. He apprehended there was no foundation for this kind of application to the House unless there were imputed misconduct such as to justify, or rather compel the House to join with the other House of Parliament in an address to the Crown for the removal of the judge whose conduct was disapproved. Anything short of this might properly be left to public opinion, which held a salutary check over judicial conduct, and over the conduct of public functionaries of all kinds which it might not be convenient to make the subject of Parliamentary inquiry; but if the House sanctioned all the inquiries of this nature that might be suggested, there would be no end to them. In every case that came before a judge there was sure to be one disappointed party, because one party must be unsuccessful; and, as every man was prone to think that his case had merits, if this were to be the rule, they would have every disappointed suitor coming to the House to complain that his case had been hardly dealt with by the judge who tried it, that the judge was not impartial, that he had not shown equanimity of temper, and that he had not even shown legal knowledge. To talk of the independence of the judges if this kind of thing were allowed would be perfectly ridiculous. One of the best Acts, as it was one of the first of George 3rd, was to make the judges independent of the Crown; and there was no one acquainted with the history of this country who did not know that no act had tended more to uphold the integrity of the bench. Any one who was familiar with the subserviency of judges, "when the breath that made them" could unmake them, too well knew how great and important was the change. But was there no danger of the dependence of the judges on a public assembly? Was there anything more calculated to shock the independence of a judge than the feeling of being constantly liable to the censure of the House of Commons, on the application of any discontented suitor? He felt this so strongly that he was perfectly satisfied that it would be a most impolitic and mischievous precedent if any encouragement were given to this application. He would now turn to the charge of the hon. Member for Finsbury, and he trusted that he should satisfy the House that there was not the slightest ground for imputing to the noble and learned judge that which the hon. Member wished to be believed against him. The charge was, that the noble and learned Lord introduced into his addresses to the grand juries political subjects of discussion. Of course that was not the whole charge, because the hon. Member could not bring such a charge, on the ground of an injudicious selection of facts. The charge therefore, must go further, and impute to the noble and learned Lord that he introduced topics calculated to bias the minds of the grand juries, and induce them the more readily to find bills against the persons who were to be brought before them. He would not stop to remark on the unreasonableness of concluding that any observations of a judge could have any such effect on the minds of the noblemen and gentlemen of education who composed grand juries in this country, but he would admit that if such were the intention of the learned judge it was immaterial what was the fact. The fact, however, was that both charges breathed a tone of pity and compassion to those misguided persons, which was calculated to produce a totally different impression. He should refer to two passages to prove this from the charge to the grand jury at Chester:

> "At the same time we cannot reflect on the occurrences which have recently taken place in the manufacturing districts without mixed emotions of compassion, and, if I may so say, indignation—compassion at the weakness and ignorance of those deluded multitudes who imagined they could effect the purposes they had in view by force and violence, and who, as they never fail to do, become the victims of their own delusion, and suffer misery and privation, and many of them punishment."

Now, was this the language of a judge who was seeking to prejudice the minds of a grand jury against the persons who were about to be brought before them? Take another passage:—

> "I stated just now that we cannot view without emotions of compassion the situation of the industrious classes, who, not having a competent knowledge to form a judgment of their own as to the principles or the rights of property, or upon the questions in which their own prosperity is involved, imagine they can by force and violence dictate terms to their masters, and thereby rescue themselves from a degree of privation and discomfort against which no Government, however it might be formed, and no law, whatever might be its intentions, could effectually secure them. Nevertheless you will find many in that situation of life to which I have just alluded, and with that infirmity of judgment which I have just described, whose passions are most easily inflamed when subjects are touched on relating to their own means of existence and their state of discomfort, and who are induced by crafty persons who excite and mislead them to imagine that they are the fittest persons to govern themselves, and that they ought to have an equal share, if not a superior share, in the conduct of the Government, and the making of the laws. I am afraid that the manufacturing classes have been of late the dupes of this sort of persuasion, and you will find in the occurrences which have called you together sundry examples of this delusion."

Then the noble and learned judge ended this charge by repeating his compassion for the objects of such delusions:—

> "I cannot conclude, (he said), without repeating my expression of compassion for the unhappy people who have acted under the delusion I have referred to. But, gentlemen, the law takes no account of such delusions; and if a man commits guilty acts he must be prepared to submit to the consequences of his conduct."

Now, was it possible that the hon. Member for Finsbury, after looking at these passages, could say, even if he thought the charge was not of that description which he considered it was the duty of a learned judge to deliver, that there could be any object of inflaming the minds of the persons in whose hands was the discretion of sending these misguided men to trial? He would not weary the House by any observations on the charge at Liverpool, for he was quite sure already that the House would go along with him in the conviction, that the imputations which had been cast on Lord Abinger were perfectly groundless, and that the noble Lord, even if the topics which he selected were not the most judiciously selected, could not have the smallest intention of pressing on those unfortunate persons, but that every expression he had quoted evinced the kindness of his disposition and his compassion for the accused. But he believed that the topics were judiciously selected. They had heard from the hon. and learned Attorney-general the serious nature of the disturbances, and the agitation which prevailed throughout the country. Was the noble Lord to be silent on those topics in his address to the grand juries? Was it not competent to him to allude to the causes which led to their assembling on their solemn duty under a special commission? He (Mr. Thesiger) apprehended that it was the noble and learned judge's duty to uphold the institutions of the country, and to inculcate obedience to the law. But with regard to what had occurred before the petty juries who had tried the prisoners, and to the sentences which were passed, he believed that the House had had the most satisfactory refutation of the newspaper accounts of the conduct of the noble and learned Lord before the petty juries, and they had the statement of the Attorney-general, who was present throughout the whole of the trials, from the beginning to the end. He believed that it was impossible to resist such evidence; for if the conduct of the noble and learned Baron had been such as had been charged, his learned Friend must have noticed and been aware of it. With regard to the sentences of the noble and learned Lord, he must be permitted to trespass for a short time upon the House. He did not think that it was very fair, when those sentences were the united sentences of the three judges who composed the speial commission, if there were any improper severity in them, to attribute that severity entirely to the Lord Chief Baron. He did not think the hon. Member for Finsbury had made out his case that the sentences were unnecessarily severe; but if the hon. Member had thought that they were, he ought to have associated in his charge the other judges, who were equally implicated in them. He, however, utterly disbelieved that there had been any severity on the part of the Lord Chief Baron. He had long known him to be a person of the greatest kindness. He had no right to ask the House to go along with him into private life, where the noble Lord had secured the affection of every one having domestic relations with him; but he had a right to say he did not think it likely that the noble Lord would at once, and entirely, change his character, and become a different man: and he did, therefore, totally disbelieve the statements as to the unnecessary severity of the sentences of the noble and learned Lord. He had had many opportunities of observing the conduct of the noble Lord in criminal courts, and he believed he spoke the opinion of the whole profession, when he said that there was no judge who was more careful or tender towards the prisoner: no one more anxious, if there was a reasonable doubt existing, fully and fairly to bring it out; and no one, when the awful duty was imposed upon him of passing the sentence of the law, who was more considerate and merciful than the noble and learned Lord, who was here charged with acting with great severity towards the persons who on the late special commission were arraigned before him. There had been no want of an endeavour to excite prejudices against the noble Lord, and he (Mr. Thesiger) might, perhaps, be permitted to take that opportunity of correcting an error which had gone abroad with regard to an expression imputed to the noble and learned Lord upon the occasion of a trial at which he presided, which had been incidentally mentioned in one of the papers quoted by the hon. Member for Finsbury. It had been suggested in one of those papers that the noble and learned Lord, on the trial of Suisse for the robbery of the Marquess of Hertford, had styled the prisoner "an invaluable servant." He knew that in consequence of the report a prejudice was excited against the noble and learned Lord for this expression. Now he (Mr. Thesiger) begged leave to assure the House that this expression was attributed to the noble Lord without the slightest foundation. The facts were these. In the very last codicil made by Lord Hertford he gave a large sum of money to his valet, styling him at the same time "an excellent man." The question on the trial was, whether he had been faithful to his trust, it was not what was the character of his services towards Lord Hertford, but whether he were guilty of robbery; and this expression in the codicil was considered by the prisoner's counsel as a very strong argument of the opinion of the master as to the fidelity of his servant. The evidence having been gone through the noble Lord was summing up when the jury interrupted him and stated that they were disposed to give their verdict without troubling the noble Lord further, and then the judge, referring to the statement in the codicil, observed that his master himself had called him an excellent man. He observed that an erroneous interpretation of what fell from the noble and learned Lord had gone abroad; and after all that could by possibility be imputed to the noble Lord, he would ask whether there was any foundation for the imputation. The House would excuse him for having taken that opportunity of correcting the mistake. He knew that prejudices had been excited against the noble Lord by reason of this mistake of the words he had uttered. He certainly felt most anxious upon the present occasion on the part of the noble Lord, whose judicial character had been seriously attacked. It had been his duty to watch the career of that noble Lord. He had gazed at a distance at his meridian splendour, when he took his place among great competitors, the first advocate of the day. He hailed his elevation to the Bench, as the proper, although late, reward for his eminent services; he had watched his conduct whilst there with respect and admiration; he had seen him devote all his talents and all his industry to the service of the State and the unremitting discharge of the high duties imposed upon him; he had now arrived at that period of life which might, perhaps, be granted to few—a period when the faculties of men were ordinarily impaired—and he found him with a mind as clear and bright, and strong as in his younger days, devoting all the powers of that mind to the service of the country. He was jealous of a reputation which had long adorned their common career; he was anxious that now, at this late period of his existence, there should not be the slightest stigma attaching to his high character. He trusted that the noble Lord might be for many years spared for the service of his country, and that when that period should arrive, which must come to all of us, his high reputation would sink unclouded to the grave.

Mr. Sergeant *Murphy* said, there was no one who more willingly admitted the unwearing attention of the noble and learned Lord, or more admired his spirit, his acquirements, and his genius; it was, perhaps, on this account, that the weight of his example, when he brought his talents to the bench, was more likely to influence the individuals coming after him. It had been stated by his learned Friend the Attorney-general, that at the period of these charges, the country was convulsed from one end to the other, that the minds of men were deeply alarmed at the riot and rapine reigning around them, and that the symptoms of the times required the peculiar interposition of the law. It was surely most important, therefore, in the position of the noble and learned Lord, that he should be most guarded in his statements, and he must contend that a political charge was peculiarly unsuited at such a time. He would ask his hon. Friend the Attorney-general, whether the political state of the country did then require the Lord Chief Baron to travel out of what he called the strict line of his duty. When he found the state of the entire country to be such, that the minds of the grand juries had been previously inflamed against the lower orders by the violence and the consternation then reigning, and an apprehension that a wide spread conspiracy existed, the spirit of the constitution should have led the learned Judge, who was sent down to administer the law, to pause before he said anything to foster that irritation. He ought rather to have tempered, by wise and gentle speeches, their fears and feelings already too rife, than have made a political charge amidst these excited feelings. The Attorney-general had appealed to the state of the country at the time. Was Lancaster in a worse state than Staffordshire, or any other part of the disturbed districts? Were the mill-owners more injured by the riots than the owners of the mines in Staffordshire who were exposed to a general strike, and who found that their mines were stopped by violence, and their men prevented from working? In point of fact, the persons of the mine-owners were threatened with violence, and their property with fire. He would ask then, if that were the state of menace in Staffordshire, if the arguments of his learned Friend the Attorney-general, and of his learned Friend the Member for Woodstock, were correct, and in the case of such excitement, political advice ought to have been afforded by the Lord Chief Baron, why the course which was so good in the one case had not been adopted in the other? If it was the duty of the Chief Baron at Liverpool, to make this charge, was it not equally the duty of Chief Justice Tindal at Stafford, to make a similar charge? Yet, let the House look at the terms of the Chief Justice's charge, and see how it was couched. He had never, till he came into the House, read the charge of my Lord Abinger; indeed, he could not even now say that he had read it, as he had only glanced over some fugitive extracts coupled with the speech of the hon. Member for Finsbury. The charge of Lord Chief Justice Tindal he had read at the time, and he congratulated himself being in Ireland, which had been notorious for the perversion of the bench to the purposes of party, that Lord Chief Justice Tindal, in this country, and in a time of great excitement, had delivered a charge which was a model by which any judge might profit. He reverenced the judges of the land; and why did he reverence them? Because he did believe that if there was anything which they brought to bear when they took their judicial seat—in addition to the great learning they possessed—better than any other, it was the feeling of the absence of all political considerations; it was looking at the question submitted to them in a calm and dispassionate manner, so that it might be said of them as it was said of Lord Tenterden, "he would try a question of sedition or of treason as he would a question concerning a bill of exchange." He said that this was the principle which ought to govern the judges. No judge ought to travel out of the record immediately before him. If the topics introduced were calculated to prejudice the individual to be brought before the court, it appeared inconsistent with the right conduct of a judge. Give him leave to ask whether there were no Chartists to be tried before the Lord Chief Baron. Was it not notorious that there were many Chartists included in the calendar, and had it not been the argument of the Attorney-general, as showing that these parties were not driven to their misguided conduct by any want, that the majority had been engaged in a political outbreak, that their wants had been ministered to out of funds provided by the so-called Chartists; and, in fact, that many were Chartists? If this were so, what right had a judge, sitting upon the bench, to prejudice these individuals by any reference to Chartism? Allusion had been made by the Attorney-general to the conduct of the Crown. He admitted that the conduct of the Crown had been most lenient. He was happy to see that the late Government had been lenient in their prosecutions; he was equally happy to find that the present Government had, in this leniency, imitated the conduct of their predecessors. As allusion had been made to the prosecution of Frost, he must ask what was the state of the country during the trials at Monmouth? The attacks there were not confined to the buildings; there was a regular conflict between the troops and the people, and there was the overt act of treason in levying war. Did the Lord Chief Justice, in addressing the grand jury of Monmouth say that sedition was stalking abroad; did he advert to a set of political adventurers, and describe them as tampering with the wants of the people to serve their own sinister purposes, as coming into the mining districts to excite the fiercer passions of the poorer classes, and collecting an army of their own? He did no such thing. He explained to the grand jury the law of high treason, from the time of Edward 3rd down to the present day, and that when the conduct of the different parties was brought before them, it would be their duty to give their decision, not on any extrinsic circumstances which were not in his charge, but from the law as he had unfolded it to them. And what had been the conduct of the same learned Lord at Stafford? He declared, "we know no Chartists here." So ought it to be in every court of justice. The principle of the law was that it had no respect for persons; the principle of the judges had ever been, that they laid down their politics on the threshold of the temple of justice, and never stepped over it. The people abhorred political judges, and the high character of the judicial seat had been preserved from a political character, with great advantage to the administration of the law. He had the greatest respect for the genius, the character, and the high acquirements by which in the person of Lord Abinger the judicial chair was decorated, but at the same time, he should regret that one who, because of this character, must possess great weight and influence should stimulate the feelings of grand juries, already sufficiently opposed to the notions of men of higher standing than the Chartists, men who, if mistaken, bore the name of Radicals. All his hon. Friend, the Member for Finsbury, said, was that inquiries should be made; if they were prepared with the learned Gentleman, the Attorney-general, to give the negative to the charge made against the noble and learned Lord, they would consent to the motion, which would in that case, end in that which he would greatly rejoice, the acquittal of Lord Abinger, and prove that he was no exception to the character he had ascribed to the judges of the land; but if, on the other hand, the inquiry should prove that the charge against the noble and learned Lord were true, he would not regret that his hon. Friend, the Member for Finsbury, had flown at such high game, and that my Lord Abinger should be made to know that dignity, however great, or talent, however exalted, must not trench upon the principles of justice.

Mr. *James S. Wortley* was surprised that his hon. and learned Friend had entered upon this discussion without having read the charge complained of. [Mr. Sergeant *Murphy* had said that he had not read it till he came into the House.] His hon. and learned Friend had said that he had only read "fugitive passages" of the charge. It was to him a matter of great relief that his hon. Friend had not read it, because, entertaining a high opinion of his hon. and learned Friend's judgment and candour, he should have undoubtedly regretted much that, having read it, his hon. Friend had formed the opinion he had just expressed; but he was convinced that if his hon. and learned Friend had read it, he would not have discovered any thing having for its object to stimulate the feeling of the grand juries. It might be that the subjects selected in the charge might be matter of observation for hon. Gentlemen opposite, but no candid man, and he knew his hon. and learned Friend was a candid man, could read the whole of these charges and say that the object of the noble and learned judge was to pervert justice, and to stimulate the feelings of the grand jury. Would the representatives of Lancashire, who sat on the opposite benches, submit to the libel upon the grand jurymen of their county that they should be stimulated by any judge to the abandonment of their duty? He should be very sorry to think that possible. With respect to the petty juries, his learned Friend the Attorney-general had described what took place, and had clearly shown that there was nothing in the conduct or manner of the noble and learned Lord before them to justify this attack. As to the present motion, it proceeded in a great degree from a misconception of the principles and practice of the constitution. He had yet to learn that, because a man was made a judge, although he be a privy councillor, he must at once abandon his political opinions. He thought, on the contrary, that anciently, and down to the present time, it had been the practice as it was the duty of a judge periodically to open to the people the nature and the value of the institutions under which they lived. What was the origin of grand juries? Originally the justices itinerant went through the country, and the great officers and the principal people of the various counties were called together to meet them, and with whom they conferred upon the state and condition of the county. The charge of the judge was then delivered to twelve men of the same body, who were returned by the sheriff as the petty jury, in writing; and it was not until the reign of Edward 3rd, that any grand inquest was summoned at all. From that time it had been the frequent practice for the judge to enter at length, not into any questions of party politics, but upon the general politics of the country, and a discussion of the institutions of the age, and of the condition of the people living under those institutions. He found in the Harleian collection a charge delivered to the grand jury of York by a judge in the year 1649, a period with the doctrines of which he thought the hon. Member for Finsbury would not be disposed to quarrel. What was the course there taken? Judge Thorpe, to whose charge he alluded, addressed the grand jury upon the state and prospects of the country. He was not aware that Judge Thorpe could be identified, and he believed that he could not, with any of the violent proceedings of the time; but his charge showed that he was not without opinions and feelings upon the political institutions of his country. After alluding to the changes which had been effected in the form of Government, and impressing upon the grand jury that it was the duty of the people to conform to the newly-erected institutions, he went on to discuss what was the authority on which the Government rested. He said that all authority and power were originally and primarily in God; that God, of his wisdom and providence, had dispensed so much of his power to man as was necessary for his use; and then came a passage of which he (Mr. S. Wortley), was sure his hon. Friend the Member for Finsbury would not complain. Judge Thorpe went on to say,

> "And this brings me to the next assertion and position, which I own as a most certain truth and positive assurance, that the people (under God) is the original of all just power; and that, let the Government run out into what form it will, monarchy, aristocracy, or

democracy, yet still the original fountain thereof is from the consent and agreement of the people. And from this assertion and position, I am led on further, by plain reason, to understand that rulers and governors are accountable to the people for their misgovernment; namely, when they transgress the rules and laws, by which the people did agree they would be governed. But let me not be mistaken, for when I say, accountable to the people, I do not mean to the diffused humours and fancies of particular men in their singular and natural capacities; but to the people in their politic constitution, lawfully assembled by their representative."

He thought, and had anticipated, that these were sentiments which would be grateful to the feelings of hon. Gentlemen opposite: but, he begged to ask, had Lord Abinger, in this instance, done anything not in accordance with that which had in the case referred to, been done? But to pass over what might be called bad times, and leaving the times of the Tudors and the Stuarts, he would refer to a more recent period, and one subsequent to the Revolution. He held in his hand a charge printed in the year 1703, which was published as a sort of model charge for all grand juries of the period; and it was said to be written by a most learned individual, to whose authority every attention was due, and thought worthy of a second edition by another learned hand in 1725. In this document a form was given which entered into a discussion of the principle of the constitution, and it concluded by directing that there should be handed to the grand jury a document containing what was technically called the charge, that was a list of the offences to be inquired into. And in truth, the principle upon which the institution of grand juries was founded was not satisfied by a mere recital by the judge of the number and nature of the indictments to be laid before the jurors, but their oath required that they should make presentment of all that has come to their knowledge in their own county, and it was out of this that the practice had arisen for the judges of the present time to address themselves to the grand jury, and to enlarge occasionally on general politics as well as all those topics which presented themselves as affording matter of remark by reason of their occurrence within the limits of the particular county. The hon. Member for Finsbury had referred to the case of Baron Smith, and he had remarked that Lord Abinger had taken part in the discussion upon that case. He had referred to the debate, and found that the noble Lord had spoken upon it; but he (Mr. Wortley) asserted no principle now on behalf of Lord Abinger, which that noble Lord had not then asserted on behalf of Baron Smith. He said,

> " Government ought not to support such a motion without having themselves instituted some preliminary investigation, and been prepared to say that there was a fit occasion for following it up by an address to the Crown."

In this case that investigation was unnecessary as appeared from the statement of the hon. and learned Attorney-general, who had given his personal testimony as to what had occurred at the trials. An investigation must be had, it was said, and upon whose opinion should the Government rest but that of their own officer, who had been actually present. Lord Abinger went on,

> " They might declaim as much as they pleased about the independence of the judges, but unless they had confidence in the protection of the Government, how could they discharge their functions."

He could not help remarking that this motion was brought forward at an unfortunate period, and it was not his fault that his hon Friend had not been induced to postpone it. They were unable to speak either with certainty or freedom, for there was a trial yet to take place arising out of the same transactions; in that case evidence was to be adduced which had not yet been before the public, and which as yet could not with propriety be stated in this debate. Much of that evidence had been before Lord Abinger which was yet to be produced upon the trials about to take place, and it was not possible therefore, for hon. Gentlemen to form a judgment entirely correct with regard to the materials upon which the learned Chief Baron had made his charge. To return to the debate on the motion respecting Mr. Baron Smith. The noble Lord, the Member for North Lancashire, had been referred to as having spoken on that debate, and he had in his speech expressed what he deemed to be the duty of a judge with such extraordinary precision and beauty of language, that he would read it to the House, as far better than any definition he (Mr. Wortley) could give. The noble Lord was drawing a distinction between the case of Mr. Baron Smith and that which he described, and he said—

"That he would not then enter into the question which was discussed last year, as to how far political topics were or were not admissible into such addresses from the bench, than simply to record his dissent from the position taken up by the hon. and learned Member for the city of Dublin on that subject, on the ground that if the offences in the calendar, or the state of crime generally throughout the country, were plainly of an insurrectionary tendency, a judge would fail in the duty he owed to society were he not to advert to such topics—in doing so he would be not only exercising a privilege, but discharging a solemn and imperative duty."

He maintained that these observations were strictly applicable to this case. The hon. Member had brought forward this motion without the least reference to the state of the country. He would not repeat the description which had been given by the hon. and learned Attorney-general, but even that hon. and learned Gentleman had not fully described the extent of the disturbances in the north of England. The case of the charge delivered at Stafford by Lord Chief Justice Tindal had been referred to by the hon. and learned Member for Cork. He would not say one word against that learned and most estimable judge; he entertained, as he believed every other member of the profession did, the most sincere respect and the highest veneration for him. The bench possessed no greater ornament—there was no one to whom the whole profession looked with greater respect. The charge of the learned judge was excellent. But he remembered the charge of the same learned judge at Bristol—a charge equally excellent, but not so strictly confined to the immediate question then at issue as that delivered by him at Stafford. He recollected how the learned judge went into a definition of the character and duties of a soldier, for the purpose of showing that in his military capacity he did not lose his position, or forfeit his rights as a citizen. But was the state of things in Staffordshire precisely the same as that which existed in Lancashire? He denied that it was; for in Staffordshire the outbreak was not so much of a political nature, although the agitation in some degree assumed that character. In both counties there was a general apprehension that there would be a further reduction of wages. Communications were going on from one end of the country to the other, between the organized trades' unions, and there could be no doubt that a general determination prevailed to resist the apprehended reduction, even if an outbreak were the consequence. In Lancashire, however, the disturbances were marked by symptoms far more dangerous; at first undoubtedly the populace were acting upon the principle, that immediately upon a manufacturer reducing the wages of his men, there should be a turn out. But very shortly after the first outbreak, the leaders of the party, who styled themselves Chartists, endeavoured to identify themselves with the mob, and endeavoured to persuade them to adopt their views. At first they were unsuccessful, but eventually, and most unfortunately, the workmen were induced to join them, and to pursue by violence the political objects of the Chartist body. Lancashire was then in a most alarming position. Large collections of persons took place, and language of the most violent description was used, and two or three towns were for several days in the unrestrained occupation of the mob. Magistrates were present, and had taken part at meetings of the most inflammatory character, and some of them, the chief magistrates of boroughs within the county, had declared that under no circumstances would they order military force to be used to put down the disturbances. Unchecked by the authorities, and encouraged by the apathy if not the direct incitement of those who ought to have preserved the peace, large bodies of men were parading the county, forcibly preventing the continuance of labour; and further yet, a large force, with banners and the array of a march, had surmounted the hills and were pouring down into the valleys of Yorkshire. What, then, was the duty of the judge before whom persons engaged in those disturbances were brought for trial? The hon. and learned Member for Cork said, that there were Chartists there, and that that was the very reason why they should not be talked about. Why, it was a Chartist insurrection. The conspiracy charged was a conspiracy by means of force, violence, and intimidation, to effect a total change in the form of Government. The judge was not to talk politics. What was meant by politics? He agreed that party politics should be altogether excluded from the bench; but he defied the hon. Gentleman to point out one expression in the whole charge which was of a nature to render it open to this construction, unless it was the allusion to those Chartists, whose very offence it was that they were to inquire into. There were no common indictments to be tried. Some larcenies and some robberies, indeed, presented themselves; but these were the acts of the camp followers of the insurrection. Let them not tell him that the mob had done no harm. He cheerfully and gratefully acknowledged one most striking characteristic of their proceedings. He looked back to the time of the Luddites—of the machine breakers—and to the destruction of property which then took place; and he sincerely rejoiced in the contrast which those disturbances presented. However mischievous their purpose, however dangerous their conduct, however calamitous the results of their proceedings to themselves and their fellows, at least he was bound to acknowledge that the mobs of the year 1842 had, with few exceptions, cautiously abstained from doing violence to property or person. But was there no mischief produced? How many mills had been stopped, how many hands prevented from doing their work, how many families turned adrift and bereft of the means of existence? It was a lamentable sight to see placed at the bar, as he had, poor men and lads, with tears, protesting that they had been forced from their work—that they loved their masters—that they had laboured willingly—that they had been the support of their young families or aged parents, until forced by the violence of the mob to give up their subsistence. He remembered one instance, which had struck him forcibly: A young man, named John Galvin, was tried before Mr. Justice Cresswell. He was nineteen years of age, and had been committed by the magistrates, having been apprehended amidst a violent mob, but, on account of the goodness of his character, was admitted to bail, to appear to answer the charge. When he was called, to the surprise of the court, he appeared in the uniform of her Majesty. He had, since the investigation before the magistrates, enlisted, and was then a private in the Rifle Corps. He had never intended any injury to any one, and on the first opportunity, he had evinced his loyalty by embracing the services of his Queen and entering an honourable profession. Then this being the nature of the disturbances, he would turn now to the charge of the Lord Chief Baron; and he would refer to the passages to which the hon. Member for Finsbury had alluded, and which he said, seemed to establish on the authority of the learned judge, a new fangled treason. The hon. Gentleman said, "There is a new treason; we cannot even discuss the Charter." Though the hon. Member was not a member of the profession to which he (Mr. Wortley) had the honour to belong, he thought that if he read the charge of the learned judge attentively, he could not fail to see that this was a construction which the words of that learned judge did not warrant.

"I must say, gentlemen, that if these conspiracies, having such purposes in view, had been made the subject of prosecutions for high treason, the consequences might have been serious, indeed, to the parties concerned. I am at a loss to know what distinction there is between a conspiracy to subvert the Government, and impose force and restraint on all the branches of the Legislature, on purpose to have a particular measure passed into law, and the crime of high treason. By the ancient law of this country, the crime of high treason is technically limited to imagining or compassing the death of the Sovereign, or to levying war on the Sovereign: but the judges have, from the earliest times, considered that a conspiracy to levy war, and to employ force to restrain the will of the Sovereign, an overt act of high treason; and, if satisfactorily proved, sufficient to justify a jury, when combined with the intention of really imposing restraint on the Sovereign, in finding it to be high treason."

What was the effect of this passage? It was not that the Charter must not be discussed; but that if there was a conspiracy to subvert the present form of Government, and for that purpose to impose force and restraint on the Legislature, by means of a general insurrection and forced cessation from labour, it would amount to high treason. This was a position which no constitutional lawyer could deny. But there was another passage to which he would refer. It was this:—

"An unlawful assembly is an assembly collected together for some illegal object; and in case it exhibits by its acts and conduct some improper design, or excites alarm among the well-disposed subjects of the Queen, it is a riotous assembly; and all persons forming part of such assemblies, and countenancing by their presence their objects, must be taken, unless they can show that they were present innocently and honestly, as participators in a misdemeanour.

"A great deal has been said at different times, as to what should be considered an unlawful assembly; and, I am sorry to say, that what has taken place in this county has given rise to discussion on the point, both in courts of law and in Parliament. But one thing is clear, that an assembly consisting of such multitudes as to make all discussion and debate ridiculous and a farce never can be assembled for the purpose of deliberate and calm discussion. Will any person in his senses say that when a man assembles together 3,000 or 4,000 individuals, he does so to form a deliberative assembly, to discuss speculative points either of law or government. Such a profession would carry with it its own refutation. If, therefore, an assembly consists of such multitudes as to render all notion of serious debate impossible; or, if you find that at such an assembly all attempts at debate are put down, and that the only object of the parties is to hear one side, the meeting ceases to be an assembly for deliberation, and cannot protect itself under that pretension. Again, assemblies of such magnitude, without a president, or any one empowered and able to restrain and dissolve them, must lead, as every one will see, to alarm and terror, and to the disturbance of the peace. Such assemblies are in themselves unlawful; and, if their conduct occasions a breach of the peace, they are riotous."

The meaning of these words, he thought, was too obvious to require explanation. The meaning of the passage, taken altogether, clearly was, that if the jury should be of opinion that discussion was not really the object of the meeting, and if the jury should find that it was of a nature to create and did create alarm, it was an unlawful assembly which, if accompanied with violence, would amount to the more aggravated offence of a riot. But to suppose that the learned judge had been guilty of the puerility of saying that a mere assemblage of 3,000 persons was unlawful was absurd. Then, there was another charge made—that Lord Abinger had stated that, so far as his experience went, he saw no reason to think that the outbreak was caused by distress or the want of wages. This was a question of fact. He did not for one moment deny the existence of distress in Lancashire or in the adjoining county; but if it were said that distress was the cause of the outbreak, he believed that in that statement a great exaggeration was involved; for it was not with those whose distresses were the most severe—whose sufferings were the deepest—that the insurrection commenced. Where did that insurrection begin—and amongst what class of people was distress the most prevalent? He believed that there was no class of men more wretched or more grievously depressed, than the hand-loom weavers. The insurrection commenced at Ashton-under-Line, which was the centre of a population of 55,000 souls, including Dukenfield, Hyde, and Staley-bridge; but in the whole of that district there was not a single hand-loom weaver. Almost every mill in that particular district was at work—in Dukenfield one-half the population was employed, at an average of 10*s.* weekly wages, including men, women, and children, giving as the average weekly earnings of the whole population, 5*s.* per head. These places had sent emissaries abroad. They went to Wigan, but there they failed to create disturbances; to Preston; but several days elapsed before those calamitous occurrences which had there ended in the loss of life. He had letters in his possession from those who had been present at the time of the apprehension of the prisoners at Wakefield, Leeds, and Halifax, and there was scarcely a man among the parties taken up who at that time was not in full employment. There had been some evidence also given on one of the trials at Liverpool by Mr. William Morris, a manufacturer, which he would read. He was examined by Lord Abinger, who asked,

"*Q.*—Is yours a cotton mill?—*A.* Both cotton, spinning, and manufacturing.—Q. How many hands altogether do you employ?—*A.* The whole number of hands in that mill is 238, and in another in which I am concerned, nearly 500.—*Q.* Has there been any lowering of the wages in your mill for any time back? —*A.* Not for about three years. I may state, wtth your Lordship's permission, that last year I paid 500*l.* in wages in my own mill more than the nearest, for the same fabric of cloth, in the town; and at the present time I am paying full 20 per cent. more than the average.—*Q.* You say you have paid the same wages for three years?—*A.* Yes.—*Q.* What was the average a good workman in your employ got by the week?—*A.* The average depends upon the number of looms they have. A two-loomed weaver, who is generally a young person, has from 10*s.* to 12*s.*, according to the width of the cloth that is woven. Those on three looms have from 15*s.* to 18*s.*; those on four looms, after paying their little helper, a girl or a boy of about thirteen years of age, from 18*s.* to 1*l.* and upwards.—*Q.* Over and above what they pay their helper?—*A.* Yes, all clear.—*Q* Many of the persons working for you, have their children working there also, have not they?—*A.* Yes.—*Q.* So that several members of a family earn their bread at the same mill?—*A.* Yes.—*Q.* Have you ever made a calculation how much each person gets on an average by the week, taking the men, and the women and children.—*A.* In the whole mill I had neither, up to last week, book-keeper, manager, nor salesman to pay—which ought to be borne in mind in this calculation, and the average is 13*s.* and upwards—between 13*s.* and 14*s.*, taking the whole mill."

This took place on the trial of a man named M'Cann, on the 11th of October, 1842. The view of the noble and learned judge was fully borne out by the report of Mr. Horner. If no other benefit had accrued from the measures which had been promoted by his noble Friend the Member for Dorsetshire (Lord Ashley) for the regulation of factory labour, the advantage of these periodical reports from the inspectors would have done him honour. Mr. Horner, after stating, that

"Throughout a great part of my district there was a suspension of all work for a long time, by the riotous proceedings into which so many of the workpeople were betrayed: to these, however, it is unnecessary for me to advert farther, as I can give no information of which you must not have been long since in possession,"

goes on, towards the end of his report of 17th October, 1842, to state some of the influences under which the outbreak commenced.

"Setting aside all other considerations, and placing the necessity of adequate means of education being provided on no higher ground than as a question of public policy, it is obvious that something effective ought to be done without loss of time; and in the circumstances of the district, the most advisable thing appears to be, to establish National Schools, and those conducted on the system of the British and Foreign School Society; and I have no doubt that excellent local committees could be formed for the management of both. Such institutions for the benefit of their children would be evidence to the humbler classes of friendly dispositions and kind sympathy in those above them; feelings of alienation between the employer and employed would be checked, and the just influence of property and education would be strengthened. That people so uneducated are in perpetual danger of being led into wrong courses by designing persons, who, for selfish purposes, work upon their prejudices and passions, has been strikingly proved by recent events. It was in this district that the late outrages began; it was here that, in 1839, agitators found ready listeners to the most fallacious and mischievous doctrines; and if it be left in the state it now is, every year will produce a fresh crop of ignorant and excitable young men and young women, similar to those who constituted a large majority of the late mobs. Had these misguided persons been better attended to by their superiors (and by "superiors" I do not mean their employers only, but use the term in a far wider sense), if moral and religious principles had been carefully instilled into them in their childhood, if the means of continuing their moral, religious, and intellectual culture, and opportunities of passing their leisure time in innocent and agreeable occupations had been provided for them, we may safely venture to affirm that they would never have been betrayed into courses so dangerous to the community, and so ruinous to themselves."

Now, with respect to the sentences. There was an authority on this question, upon whom he could rely, at least as an unprejudiced witness, a gentleman who had elevated himself into the position of a censor. He was the editor of one of the cleverest weekly periodicals, and he believed, himself a lawyer, although at different times he had been so unfortunate as to select as the objects of his attacks, such men as Mr. Justice Coleridge, Mr. Justice Pattison, and Mr. Justice Cresswell. His object in this case was to assail Mr. Justice Cresswell. In the *Examiner* of 15th October, 1842, he found the following passage: and let it be remembered that this was an acute lawyer, reviewing the whole proceedings of the special commission; and yet he hints at no fault in the conduct of Lord Abinger.

"Let us now see Mr. Justice Cresswell at the special assizes for the trial of men implicated in the late disturbances. But before we look at his sentences, let us mark those of the other judges in the same district, and dealing with the same class of offences.

"We take the report of the Chester trials in *The Times* of Tuesday, and we find that for cases of conspiracy, and not Lord Abinger's, sentences were twelve and eighteen months imprisonment, some so low as three months. In only one instance did he pass sentence of transportation, and that, as it seems, rather hastily, on the ground that the prisoner had been before convicted of felony, which conviction, as it appeared afterwards, was for a petty theft of a few potatoes."

After going through Baron Alderson's sentences and Mr. Justice Cresswell's, the article proceeds:—

"With one exception, Lord Abinger's punishments ranged from eighteen months to three months imprisonment. Mr. Baron Alderson's punishment did not exceed two years imprisonment. Mr. Justice Cresswell's minimum was the maximum of Mr. Baron Alderson, and from two years imprisonment up to transportation for ten years, and even for life."

This showed that the most lenient sentences passed were those of Lord Abinger. He must, however, do full justice to the high and excellent qualities of Mr. Justice

Cresswell, whom he had the pleasure of knowing, and he rejoiced as well, he was sure, as nearly all those who heard him, for the sake of the nation, at now seeing that learned judge on the judgment-seat. In the case in which the sentence was so severe, and which was passed by that learned judge, the prisoner was prosecuted for robbery "together with others," and the judge, under such circumstances, was restrained by the terms of the statute from mitigating the period of transportation; but that sentence, he had reason to believe, was under the consideration of the Crown with the concurrence of that learned judge. He regretted on this, amongst other grounds, that the motion had been made. He did not believe that one of the men that had been tried would complain of their trial, and he believed that if they were consulted that they would all object to this motion on the ground that it would interfere with mercy, which otherwise might have been extended to them. He did not insinuate or suppose that the hon. Member for Finsbury had any such motive, but he could not help suspecting that some of them who had prompted him to make this motion had entertained a hope of influencing the forthcoming trials. But no one who knew the character of the learned judge, who was about to preside at Lancaster, could for a moment suppose that such accusations would dismay his mind. He believed that so far from the opinions expressed by the hon. Member for Finsbury being in unison with the general sentiment of the country, they were perfectly satisfied with the proceedings of the special commission. He had seen such an expression of opinion put forth in some of the leading publications of the day. Within the last few days a publication appeared, which, although it purported to be quarterly, was sent into the world within a month of the previous number, and whose pages are sometimes adorned by the writings of the ablest men of the day. He did not know whether this had been done in order to publish that article on Eastern affairs, which was so cruelly exposed last night by his hon. and learned Friend the Member for Beverley, or for any other purpose. The abortive character of that article might, perhaps, be attributed to its premature birth. The article, however, from which he wished to quote, was on the distress of the country, and was evidently not written in a hurry. In the last number of the *Edinburgh Review* he found it stated,—

> "We have adduced sufficient evidence to show the extreme misery under which the people were suffering. It was in these circumstances that alarm was taken by the working classes at the resolution of some manufacturers still further to lower wages already lamentably depressed. The effect was very soon and very extensively felt; the workmen combined to resist the alteration; the combination spread; a determined resolution was shown to compel the employers to submit, by forcibly stopping the factories; vast assemblages of men were brought together for this purpose: proceedings not more illegal than they were absurd, ensued, adding greatly to the distress from which they originated; the Chartists endeavoured, with more or less success, to give this movement a revolutionary tendency; the laws were violated, great towns were taken and left in possession of irresponsible multitudes, and the whole social system seemed to be endangered. This state of things was not, however, of any long duration. The authorities, both civil and military, acted with effect, but with a temper and moderation above all praise. The administration of the law by Lord Denman, by Chief Justice Tindal, and their colleagues Barons Parke and Rolfe, displayed all the highest attributes of the judicial character—calmness, temper, firmness, impartiality: no false indulgence for crime, but a natural, and therefore a just, sympathy for suffering. The proceedings of the special commission were as successful as they were honourable to the venerable judges whom we have taken the liberty of naming, and order has been completely restored."

[Mr. *T. Duncombe* observed that Lord Abinger's name was not mentioned.] No; nor were the names of Mr. Baron Alderson nor Mr. Justice Cresswell mentioned, who had been sent to try the cases at Liverpool; and for what reasons the writer best knew. But the facts to which the writer alluded could have reference only to Lancashire, and it was clear that he had in his view the commission in that county as well as that in Staffordshire. There was only one other point to which he would direct the attention of the House. He could understand the false impression conveyed by the writer of the letter which was read by the hon. Member. The Lord Chief Baron, no doubt, was occasionally liable to some little irritation of manner, caused, perhaps, by acute suffering such as he was known to labour under. And it had happened that pain had been given to himself, which he was satisfied was least intended. He had, on more than one occasion, been witness to some slight manifestation of this kind, and he was sure, that whether directed to his learned Friend the Solicitor-general, or any other member of the bar, for they might be equally liable to it, it was known and acknowledged that such a display of irritability was not meant unkindly. The hon. Member for Finsbury had been misled by his correspondents, and he (Mr. Wortley) would venture to say that, notwithstanding the circumstances to which he had alluded, that taking all circumstances into account, no judge could act with more consideration to the persons who practised before him, or with more perfect impartiality than the noble and learned Lord against whom this charge was brought. The hon. Member for Finsbury had complained of offensive terms which he had alleged had been used at the trials by Lord Abinger; now his hon. and learned Friend who was present denied that any such expressions as had been alluded to had been used by that judge. Still, however, he admitted that on the trial of some of the rioters strong terms had been used; but this was not only on the special commission, but at the assizes held at York before the Lord Chief Justice, similar and equally just expressions were used. That learned judge, against whom no one, he was sure, would bring the charge of harshness or severity, used the language which he would quote to the House, not in the charge to the grand jury, but in passing sentences on closing the assizes:—

"You have all been convicted, either by the verdict of a jury, or by your own confession, of very serious offences—in the first place, of interfering with the rights of individuals and property; and in the second place, with committing acts of riot connected with those transactions. Most of you have been convicted of both; and I believe only one who stands before me has been convicted of riot only. It is quite plain, that you have lent yourselves in a most mean and abject manner, as it seems to me to be the instruments of persons who are much worse than yourselves, who have put you forward to bear the brunt of this accusation. If you had a proper spirit, and feelings like Englishmen, as you profess to be, and boast that you are, you would have resisted the force used upon you, and told those who incited you to work this mischief, that you would not lend yourselves to their purposes. The law has not yet got possession of any of those who appear to have originated this transaction. There are some, even at a distance, it appears, who have influence enough to induce you to prefer subscribing from your wages for the purpose of resisting the laws and injuring your neighbours, to keeping those wages in your own pockets, and pursuing the course of honest industry. It is necessary that examples should be made in all the different classes of offenders. Persons must be taught that the law is not to be violated with impunity; they must be taught that no mob can be kept together, performing any acts of violence, without committing deeper crimes than were at first intended; and that no control can be kept over them, save that which can be exercised by the soldiery, and by the terror of proceedings like these. It is highly necessary that you should be informed that from the moment the mob were acting together, to the annoyance of the special constables, and of the soldiery, and to their disturbance in the performance of their necessary duty, if, in consequence of the attack, death had ensued, every one of the persons acting on that occasion, would have been liable to be tried and executed for the crime of murder. There is not the least doubt that that is the law of the land, and, if it were not so, every person would have said, as many of you have been in the habit of saying, within the last few days, 'I took no part in it—I threw no stones—I was seen with no stick—I did no injury to any one;' and possibly this might be true; but if you were with parties of this kind, inspiring the terror that necessarily ensues from the congregation of large multitudes of violent persons like you, every one of you is concurring in the acts done in the course of the proceeding, and liable to suffer the extreme penalty of the law, if the crime I have alluded to had been committed during the transaction. It appears that in some instances, parties have endeavoured to extort money, which, if they had succeeded, through the terror of the mob, in obtaining from these parties, would have made them guilty of highway robbery. The crime of robbery is committed when men extort money through the fear of violence, and what violence can be more alarming than that of a large body of men, armed with sticks and stones, banding themselves together for some particular object, and resorting to threats and menaces? The act of riot itself is full of danger, and the same consequences will attach to all who are present, and aiding and abetting by their presence, acts like these. The jury, in several cases, have recommended you to mercy, and I consider that recommendation as extending over every one of the cases. They have felt some compassion for you, who have been so much misled, and have felt themselves justified in recommending you to mercy—a recommendation which the Court will consider in every sentence which it passes. It is a very painful duty which I have to perform; and it is lamentable to see so many of you, who are so well qualified to acquit yourselves well in the world, to set good examples to your children, to put your families in good circumstances, and to be yourselves respected by your neighbours, who now, in consequence of acts like these, must be imprisoned where the felon is imprisoned—where the criminal expiates his crime, and where some of you boast that neither yourselves nor any member of your families have ever appeared before.

"Jonathan Frost, William Holroyd, George Gill Whitwell, Samuel Tillotson, Samuel Holroyd, Thomas Lightfoot, Matthew Castle, and Richard Boardley, was next called up. The learned Judge said, they each of them stood convicted of taking part in those riots, and they were all of them persons who had used considerable violence. The offence was one of a shameful and cruel description, because it deprived a man of his bread, while on the other hand no one was a gainer. It was a system of the most mischievous and injurious description that could well be devised, but when it was connected with personal violence, it became an offence of a very serious character. Many of them had had good characters given them, and he was sorry to see persons, such as they appeared to be, in the situation in which they then stood. The sentence of the Court was, that each of them be imprisoned and kept to hard labour for six calendar months. Broadley offered to enter into his own recognizances, and to find one surety of 20*l.* to keep the peace for twelve months, and his sentence was commuted in consequence to four months imprisonment."

The learned judge, in this summing up, alluded to leaders, and pointed out the same class of persons as Lord Abinger, and no reflections could be directed against Lord Denman for having used language thus severe but just. He had felt it to be his duty, on a motion like the present, to address the House, as he thought that he could give some information having been present during the whole of the proceedings of the special commission. He believed that there was no part of its duties in which the House of Commons ought to be more cautious, than in the exercise of its undoubted privilege of holding the judges responsible for their conduct. The act of settlement of William 1st made them independent of the Crown, and one of the first acts of George 3rd made them independent of the life of the Sovereign. But it would be to little purpose that they had been made independent of the control or blandishments of the court, if they were lightly to be made subject to a new and more capricious authority. It had been well said, that "crowds have their courtiers as well as Kings;" and if the power of the more popular assembly were wantonly exercised, and the independence of the bench too lightly assailed, although its integrity and honour would remain untouched, its efficiency would be essentially impaired.

Mr. *Wallace* could not help feeling that the hon. Member who had just sat down had made rather a singular use of the indulgence which the House was in the habit of extending to new Members, he said this as an old Member of the House, although he had only had a seat in it for the last ten or eleven years. It appeared to him that the hon. Member had totally forgotten that they had discussed the distresses of the country for five consecutive nights last week, and that he (Mr. Wallace) had also a motion on the distress of the country yet to come on; for the hon. Member had gone over great part of the ground of the speeches which had been and were to be made on this subject. With regard to the charges made by Lord Abinger whilst on the special commission, he had seen it his duty to purchase the book of the noble and learned Lord, and not to trust to reports of newspapers at all, but to trust to the learned Lord's own shilling's worth. [*Cries of* "Oh!" "Pooh."] "Oh," and Pooh!" They were very good words to come together. He had read this pamphlet with the very greatest care, and the conclusion which he had arrived at was the same which he had arrived at on reading the London and provincial papers. With regard to a special commission, he (Mr. Wallace) considered it a very awful thing in the country. The judge sent down was bound to purge his mind from every feeling not that of duty, otherwise he did not properly fulfil the office of a judge. ["Hear, hear!"] He said so too. There was a wide distinction in the judges on the Bench of England, which he hoped never to have seen. It reminded him, with sorrow, of the scenes he had witnessed in his own country, and which had degraded the Bench in former times. He could not forget in his younger days, in 1793 and 1794, how the judges in his country had condemned to condign punishment and even to death men who were never tried, except by packed juries and prejudiced men. They were condemned before ever they entered the court. That was strong language, and he was prepared to prove it. The hon. Gentleman who last sat down had quoted from the *Examiner*. He did not believe that the *Examiner* would descend to notice such conduct as that of Lord Abinger. He did not believe it would. He did not know before that the editor was a lawyer; but let him cut his pen well for next Saturday. It appeared to him, on reading this book, that the noble and learned Lord was well crammed as to the manner in which he was to deal with the Chartists, of whom he was not one. He told the grand jury at Lancaster he was going to give them a little bit relating to the Chartists and the Charter, in case anything of the kind should come amongst them at any future time. If any judge were to say so to a Scottish jury, the foreman would be a very mean-minded man not to pull him up for addressing them in such a way. He (Mr. Wallace) should like to see the judge who would say so to him as a juryman, he would pull him up; and it was not the first time that he had pulled a judge up. The foreman of a jury at Liverpool had told the noble and learned Lord not long ago, that they wanted no more of his information, that they knew their duty. That noble and learned Lord seemed to him to have proceeded on his mission for the purpose of showing that there were two descriptions of persons only in England who were entitled to the protection of the law, and these were the holders of property and the aristocracy; for he told them distinctly, in so many words, that if the masses of the people who had no property were ever to be considered as worthy to be admitted to choose their own representatives to that House, nothing but revolution would be the consequence. Now, he asked that House, had these people no property?—had they not their ten fingers? ["Yes, and their ten toes too."] What was the value of their estates without these people and their fingers? And where would be their trenching and ploughing? ["Oh, oh!" and "Oh!"] Yes. He was speaking of the property of the working classes; they were the suffering part of the people; they were those who had been refused any inquiry into their petitions; they were those who had been oppressed and grievously oppressed, by the learned judge; and they were those who must now suffer for months to come without knowing whether there was to be any amelioration of their condition in commercial or financial affairs, according to the statement of the right hon. Baronet on the Treasury Bench. He had hoped he never should live to see the day when similar conduct to that of the Scottish judges, to which he had alluded, would be known in England. He would just read the charge of one of the Scottish judges made at the time to which he was alluding. The different charges of Lord Abinger at Lancaster and in other places, in turning out of his way to make the statements he had, had made so strong an impression on his (Mr. Wallace's) mind, that he (Lord Abinger) had done what he ought not to have done, or that he was through premature old age, or some other cause, unfitted for his position, that he (Mr. Wallace) would be most happy to see that judge retire in the same condition that he (Mr. Wallace) had proposed that the Scotch judges should retire—with his full and entire salary, and all other allowances. If it were true that Lord Chief Justice Tindal had pursued a course entirely different to the noble and learned Baron, with the complete approbation of the whole press of England, Ireland, and Scotland, he would ask again, how was it possible that Lord Abinger could not be wrong? He would read to the House the summing up of Lord Justice Clerk on one of the Scottish trials to which he had alluded:—

"The question for consideration is, is the panel guilty of sedition, or is he not? Before this question be answered, two things require noting; the first is this, that the British constitution is the best that ever was since the creation of the world." "That is the first thing;" (and the learned judge then advanced this rather stronger assertion)—"and the second is, that it is not possible to make it better; for is not every man secure, is not every man reaping the fruits of his own industry, and sitting safely under the shade of his own fig-tree?"

The charge of the Lord Chief Baron, at the special commission, was equally as violent as the charge of the Lord Justice Clerk against the Chartists of that day. The same charge proceeded as follows:—

"As Mr. Muir has brought many witnesses to prove his general good behaviour, and his recommending peaceable measures and petitions to Parliament, it is your business to judge how far this should operate in his favour in opposition to the evidence on the other side. Mr. Muir might have known that no attention could be paid to such a rabble. What right had they to representation? He could have told them that Parliament would never listen to their petition. How could they think of it: a government in every country should be just like a corporation, and in this country it is made up of the landed interest, which alone has a right to be represented; as for the rabble, who have nothing but personal property, what hold has the nation of them? What security for the payment of their taxes? They may pack up all their property on their backs, and leave the country in the twinkling of an eye, but landed property cannot be removed."

How were the petitions of the people treated by that House at present? They were not allowed to be heard, but their petitions were jammed into a bag under the table. The Attorney-general had said it was remarkable that none of the prisoners sentenced by Lord Abinger had petitioned for redress or for amelioration of their sentences. Would any man tell him that a prisoner with the treadmill beside him would put his hand to such a petition? No man durst do it. It would be heard of in that House, the names would be sought out by a committee, and the prisoners would be punished. Why, it even appeared that at Knutsford the other day, on a party of ladies and gentlemen visiting the prison, a number of prisoners were set to work on the treadmill for their amusement. He had attended a meeting of 100,000 persons not long ago to express their feelings on the state of the country, and he wished to God there was another to-morrow, and that the hon. and learned Member (the Attorney-general) might be present to hear what he had to say. The people at that meeting had come to a resolution that the noble Lord must totally have forgotten what sort of meetings they were during the time that the Reform Bill was in agitation. The right hon. the Home Secretary would remember that there were plenty of such meetings. He remembered one large meeting, too, which he and the Home Secretary attended together: and one of the occurrences which had happened was this — there was a little bit of a row in the Court-house. There was. But the right hon. Gentleman took no part in it for or against. It was all against the Tories; therefore neither the right hon. Gentleman nor he (Mr. Wallace) took any part in it. They then, the freeholders for the county, agreed who should be the Member. No one knew better than the right hon. Member opposite how they had settled it and who was to be Member. They settled it over the claret and champagne. He never was elected in those days, but he did all he could to shove others in. In the course of the evening there was a considerable bit of a row got up, and they went to the windows of the dining-room to see what this was, and it was the sheriff of the county, who was the greatest man they had there, without cap, upon the horse of a private dragoon and ten or twelve soldiers galloping after him, coming to see "where was the row;" and no one laughed more than the right hon. Gentleman opposite to see the figure he cut. This was at Lanark. What did the Lord Justice Clerk next say? "What right has he to representation?" They might depend upon it he was going to read it. "The landed interest alone has a right to be represented." Very well. He went on—["Oh, oh!"] He conceived that this question was one of very great importance to the people of England, Ireland, and Scotland. It was a matter of great importance to them whether they should respect their tribunals and their judges. He would tell the House that since Lord Abinger's appearance on that commission special commissions were held in detestation and contempt. But, so far as the other judges were concerned, they had a beautiful contrast with the noble Lord. He had endeavoured to show to some Scotch friends that the conduct of Lord Abinger was the exception and not the rule. Every sort of care was taken in the English courts in the trial of a cause; whereas in the Scotch courts they had nobody to defend prisoners except mere lads and youths. Nothing showed greater abuse than the Scotch criminal courts; the prisoners were all ready "cut and dried" for condemnation. There were not more than two or three lawyers in a court, and these were mere "spoons." Not one man made his fob heavier or his pocket richer. He hoped that if witnesses could not be examined at the bar of the House, at least steps would be taken to inquire into the grievances complained of by the petitioners and to redress them, and that no shuffling excuses would be made to prevent justice being done.

Mr. *Scarlett* and Sir J. Graham rose together, but the former being called for, proceeded to address the House to the following effect:—It would ill become me to offer many observations to the House on the present occasion; but I own I should be mortified if I were not allowed to overcome my usual indisposition to address the House, and to take rank, however humble, amongst the defenders of a person so nearly related to me, and who has for so many years occupied all my veneration and affection. That he should have found defenders, so zealous, so able, and so attached, is a circumstance which excites all my gratitude and admiration. Sure I am that the publication of these proceedings and not of these only, but of every act of his life, public and private, could have no other effect than to redound to his honour. Though I must in such case, be a partial judge, yet I will venture to say, that if any man could adopt the sentiment of the noble Roman, who proposed to construct his house in such a manner as to permit every citizen to survey all his actions, he Lord Abinger might be that man. The sum of Lord Abinger's offence is, that he happens to differ from a body of persons called Chartists, and their supporters in this House. He believes their doctrines directed to the subversion of the monarchy and Constitution of this country, and, being placed in a situation where he conceived it proper to speak of those doctrines, he did so. He thought it his duty as a judge to do so; had he done less, he would have failed in his duty to his Sovereign and to the public, with whose interests he was charged. In these charges he does not condemn as criminal, the holding any particular opinion; but he points out to those persons that their offence consisted in using force in order to carry into effect their principles. Perhaps it would little become me to find fault with the manner in which the hon. Gentleman opposite has introduced his motion; I am not a fair judge upon that subject, and therefore I shall leave it to the feelings of the House—to say whether or not Lord Abinger has been justly and fairly treated upon this occasion. The hon. Gentleman has not been sparing of insinuations against him; and he has particularly alluded to the personal manner in which he is supposed to have exercised his duties. From all I know, from all his friends know of him, though not present myself at these trials, I will venture to give a distinct denial to such accusations. The hon. Gentleman must have been deceived by those who have pretended to inform him. With his talents, and the figure he makes in this House, I greatly regret that he did not consider that the streams of his information might possibly pollute the channel through which they flowed. The hon. Gentleman has endeavoured to awaken prejudices against Lord Abinger, in terms to which I will not allude, and has reminded the House that he once acted with the Whig party. But to whatever set of public men at any period of his life Lord Abinger may have given his confidence it will be remembered that he was always a strenuous defender of the Constitution established in this land, of government by King, Lords, and Commons, with which he thinks the Chartist doctrines are inconsistent. It is a singular circumstance in the life of Lord Abinger, that in the preferment of public duties, he has always found himself involved in a struggle with the Clodii and the Catalini of the day—far be it from me to insinuate that the name of the hon. Gentleman who has placed Lord Abinger in the same category with wicked and unjust judges should be classed with the names of those persons—I need not allude to times which are now no more,—Lord Abinger in all periods of his life has shown himself earnest in the defence of the Constitution, and regardless of the odium and obloquy cast upon him by those who did not sympathize with him in that feeling. But I have said, that the hon. Gentleman was deceived by his informers. Will the House permit me to state some of the sources from which his information is derived? I apprehend that his information came principally from those persons who have presented petitions, and it is a remarkable circumstance, and worthy of any man's inquiry, how it should happen that almost 1,000 persons in various parts of the kingdom have sent up petitions complaining of Lord Abinger's conduct. I do not deny that his conduct may be a subject for public observation. But I have here a list of the names of the places where these petitions were signed. I find that out of six or seven petitions, five or six are identical in their terms, and are in fact precisely the same petition as that presented just now, and commented upon by my hon. and learned Friend (the Attorney-general). Those from Liverpool, Bath, Hull, Brighton, and Newport, are identical. What that indicates I leave the House to judge. The petition from Newport is signed by 190 persons. I think I may venture to say, that amongst those names there is hardly one which may not be pronounced to have been written by a common workman. There also is a petition from Marylebone and one from some other place, both of them couple Lord Abinger with the magistrates of Staffordshire, and allege incredible things; but they are signed by only one person in behalf of the meetings at which they were agreed to, I leave you, to consider how much weight they possess. The hon. Gentleman was pleased to refer to the speeches which were delivered at some of those meetings. I have the short-hand writer's notes of the Liverpool meeting, where the petition adopted was of the same nature as the others which have been described. Perhaps the House will allow me to read some of the language and assertions uttered at that meeting, and which resemble those the hon. Gentleman has used this night. The gentleman who moved the first resolution at the meeting told the audience that he was present at the trial, and that

> "His Lordship directed the juries to bring men in guilty whether or not, telling them that it was absolutely their duty to decide against prisoners when there was a preponderating amount of evidence in their favour."
>
> "His Lordship also told them that it was the purpose of the prisoners to plunder society, and to rob the very jury themselves;"

And that

> "Others had been convicted for looking on; and some of them for playing in the market-places were sentenced to six or seven months imprisonment by the cruel Judge Abinger."

After this, another speaker told the meeting that it was an

> "Unparalleled case of tyranny, and it was necessary to adopt the petition in order to operate on the minds of other judges during the forthcoming assizes."

Another speaker excites his audience by remarking to them that

> "The fate of every patriot would be such as had befallen the unfortunate Emmett in the sister country, who was mocked in the hour of death, and brutally murdered in cold blood by judicial villainy and rascality."

This sentiment uttered at Liverpool was loudly cheered. The speaker then asked,

> "Would they sit still and see every patriot victimized by a man whose mind was as blind as his eye." (Cries of 'Oh? oh!' and other expressions of disgust.) "The petition was essentially necessary," (continued the same speaker,) "and any one refusing to petition was a mere half-hearted man, who had no regard for pure, unsullied democracy."
>
> "The petition was adopted, and it was ordered to be signed by the chairman in behalf of the meeting, and forwarded to Mr. T. Duncombe, M.P., for presentation to the House of Commons. A collection having been made Mr. Davis, of Hawick, delivered his lecture on the principles of Chartism, after which the meeting separated."

Such were the persons who had petitioned against Lord Abinger, and such the persons from whom the hon. Gentleman had received his information. There is one other subject upon which I will just touch—the daily press. I must be allowed to say that sometimes the daily press makes me recollect an age of which the Roman historian says it became so corrupt that—"*Neque vitia, neque remedia pati possumus.*" Sir, I thank the House for the kindness with which it has heard me upon this occasion, and sit down, in the confidence that it will not allow a public servant who has well and faithfully discharged his duty to be intimidated for the future, or oppressed at present by the unjust accusations which has been brought against him.

Lord *John Russell* said, that the hon. Gentleman had ably fulfilled an appropriate duty, in defending the noble and learned Judge whose conduct had been brought into question. The part which he (Lord John Russell) had to perform was not so agreeable; but he felt it necessary to address the House more in reference to the tone of unqualified panegyric which had been adopted by the Attorney-General, and by the two hon. and learned Gentlemen who followed him. He would say at once, that he had no doubt as to the vote which he should give on this occasion. Without entering into the point, as to the period at which the independence of the judges might be dated—an hon. Gentleman had talked of the 1st George 3rd., he considered it to have been a maxim of the constitution as far back as the Revolution—but however this might be, he regarded the independence of the judges to be so sacred, that nothing but the most imperious necessity should induce the House to adopt a course which might, by any means, imply that the judges were to depend for the future, not on the sanction of an act of Parliament, not on that tenure which had protected them so long as they were not guilty of any crime, but on the particular views of a particular portion of their fellow-countrymen. He did not feel that the objection to giving a vote in favour of the hon. Gentleman was at all diminished by his proposition that the vote should be only one of inquiry—that evidence should be taken as to the language used by Lord Abinger during the special commission. The question was, whether, if they agreed with the hon. Gentleman's proposition, justice would not be weakened by that course. Would any one regard the inquiry, as the hon. Member suggested it, as a mode of clearing Lord Abinger from certain imputations which had been brought against him? Would not the result be, that they would find the supporters of the law would be discouraged, the violators of the law encouraged? Could it, indeed, be made out, that Lord Abinger had wilfully perverted his high station into a means of oppressing those who were brought before him to be tried; or could it be shown that, by a total ignorance of the law, he had misled the grand juries and petty juries, and thereby caused any damage to the subject? He should then confess that, however dangerous it might be to enter upon such an inquiry, a case of necessity had been made out, and that it was essential to clear the bench from the imputation of such wrong or such imperfection; but, knowing as he did the character which the noble and learned Lord had borne, he could give no credit to such imputations. He could not believe that a man of Lord Abinger's reputation and disposition would wilfully endeavour to oppress any of her Majesty's subjects, or to pervert the law, so as to imprison any of those subjects contrary to the true course of justice. As to capacity, the acknowledged learning of the noble and learned Lord, his intimate acquaintance with the law, would it was not to be doubted, free him from the imputation of ignorancce on the matter. But having said thus much as to the vote he should give, he must add that he felt he could not have given that vote in silence, lest his silence should imply an assent to all that had been laid down by the Attorney-General and the two hon. and learned Gentlemen who followed him, who seemed throughout the case to consider Lord Abinger as entirely blameless in the matter. After reading the noble and learned Lord's charge he must confess he had not come to any such conclusion. It appeared to him that the duty of a judge, when he went either on the circuit or on a special commission, was to state generally the law, respecting any offences that were coming before him, to the grand jury, and having stated that law, more or less fully, according to his judgment, he should then leave it to the grand and petty juries to apply the law he had delivered to the accusations which were brought before them. It appeared to him, that on occasions where there was political excitement, in cases where there were questions of insurrection, or treason, or tumult, the judge should use his best endeavour to state the law with the greatest moderation, for this reason, among others, that his application of the law would have far greater weight if enforced with temper, moderation, and forbearance; for then the acquiescence in the sentence pronounced would be almost unanimous, while, on the other hand, if the temper displayed by the judge were otherwise, there would be a great difference of opinion on the subject, and, what was worse, great irritation of feeling in the mind of the public. He was drawing no imaginary picture. The charge of Chief Justice Tindal completely came up to the idea of what a judicial charge should be. The hon. and learned Gentleman opposite said there had been no fault found with the prosecutions instituted by the Government, of which he was the author. Now it was far from telling in favour of Lord Abinger to say, that there had been a general disposition to acquiesce in the commendation of Chief Justice Tindal, and that there was a general disposition to acquiesce in the statement that the functions of Government in this instance had been performed leniently and fairly; for this general acquiescence precisely showed that there was no disposition to find fault and cavil, unless there was really that in the tone and expressions of a particular charge which called for animadversion. The chief fault of the charge in question was, that it had entered into political matters, that it went into political doctrines concurrently with legal ones, which was apt to confound the grand juries whom the judge was addressing, and infuse prejudice and faction into a subject which ought to be looked on with the utmost calmness. He would beg leave to read a passage from the charge to explain what he meant. The difference he took was this, that Lord Abinger spoke both as a politician and a lawyer, and that in his case the judge only should have spoken and the politician should have been silent. Lord Abinger speaks of

> "Persons who for their own purposes have endeavoured to prevent the people from returning to their work, and sought so to direct them that they might, by the suspension of all labour, be conducive to the attainment of political objects."

There the judge spoke of persons who prevented others from returning to their work, which was an offence very proper for the judge to point out. But Lord Abinger went on—

> "And what is the object of the Charter which these people are seeking? What are the points of the Charter? Annual Parliaments, universal suffrage, and vote by ballot. Yes, gentlemen, you will find by the evidence which will be produced before you, that it has been inculcated upon many misguided persons that the sovereign remedy for all abuses, and the only means of putting themselves in possession of such a share of power as would enable them to vindicate their own rights, and secure themselves against oppression, is by the enactment of what they call the People's Charter."

Here the noble Lord referred only to political conduct, and would lead persons who heard the charge to suppose, that to seek the Charter was an offence, like preventing men from returning to their work, against the laws. Lord Abinger further says,—

> "What, then, would be the state of any country if multitudes were to make the laws for regulating property, or were permitted to employ physical force to restrain individuals from employing their own labour, according to their own judgment, for procuring their own subsistence."

Now here the two things adverted to by the judge were essentially different; one was the law regulating property—a political question, full of important consequences. He would say that he, in that House, or Lord Abinger in the other House, might with great propriety come to the conclusion, that for a multitude to make laws, would generate confusion. That was a political argument, of the bearing of which he would then say nothing. But a totally different question was in the second branch of the sentence. There it was stated that the employment of physical force to restrain individuals from employing their own labour was an offence against the law, and for that offence several persons were then to be tried. The charge in various places, into which he would not further enter, used similar language, and led to the same conclusions. He could not agree therefore with the hon. and learned Member for Woodstock (Mr. Thesiger) in the high estimate which that learned Gentleman formed of Lord Abinger. He did not accuse Lord Abinger of any want of legal knowledge; but he did blame him that Lord Abinger had mingled both legal and political considerations in his charge, when only legal considerations were required. What would be the consequence? The Chartists who were brought before him hearing his opinion concerning annual Parliaments and vote by ballot, which they regarded as the remedy for political disorders, placed in the same category as the use of physical force, and consequently classed as a crime —such men, when brought before him, would be convinced that the judge entertained a prejudice against them. That would be the consequence of such a charge. The judge, they would believe, pronounced an opinion, that the endeavour to procure the Charter, and to stop the working of mills, was an offence of the same character; but it was not the spirit of the law that men, who were actively engaged in stopping mills, and in procuring the Charter, were guilty of an equal offence. That was the view which he took of the charge; and he found that a great number of persons, of persons learned in the law, of professional men, and of persons not learned in the law, took the same view. They entertained, as he entertained, an opinion that Lord Abinger, by introducing political topics indecorously, departed from his office of expounding the law, which was the proper subject of his charge. It was necessary for him to say thus much, to prevent it being supposed, that in giving his vote against the motion of his hon. Friend to go into an inquiry, he did so from being perfectly satisfied of the propriety of Lord Abinger's course of proceeding, and from concurring in all the praise which had been bestowed on him. It might be from Lord Abinger's age, but, in his opinion, that noble Lord's conduct displayed a want of due discretion. All who knew him knew that, as a judge, he was not of an even temper, that he wanted philosophic calmness, and was sometimes warm in his remarks. At the same time, he did not deny that he was a judge of eminent talent and learning, and he acquitted the noble and learned Lord of all malice or incapacity. As to the motion, he could not acquiesce in it, nor could he concur with the learned Gentleman in saying that Lord Abinger had exhibited no degree of indiscretion.

Sir *James Graham:* I am exceedingly glad that when I rose previously in the course of this debate, I gave way to the hon. and learned Member for Horsham, who has expressed his feelings on this occasion with a degree of temper and moderation, which appear to me highly honourable, and cannot fail to have made an impression on the House. I am glad, also, to have had the advantage of hearing the noble Lord, the Member for London; for I can state generally, that I concur with the noble Lord both in the principles which he has laid down with reference to the question under discussion, and in the practical conclusion to which he has come with respect to the vote to be given on the motion of the hon. Member for Finsbury. The noble Lord said, that in the present state of affairs, he was quite satisfied that if the motion were carried, the friends of law and order throughout the country would be much disheartened, and their enemies would be proportionally elated. In that sentiment of the noble Lord I entirely concur. I also agree with the noble Lord in thinking that the due administration of justice is promoted by the exercise of the vigilance of parliament; and, therefore, I by no means object to questions of this nature being raised in this House; but, on the other hand, I feel strongly that it is due to the cause of justice itself to defend the judges of the land, unless we shall be satisfied that their conduct has been corrupt, and their motives dishonest. It is only fair to a judge, considering his eminent station, the great power with which he is entrusted, and the grave responsibility under which he acts, that the House should not adopt such a motion as this, unless, in our deliberate judgment, we are satisfied that there has been manifested, on the part of the judge who is the object of it, a badness of heart, and a corrupt intention, which have contributed to the perversion of his judgment. The hon. Member for Finsbury cannot rely upon the case of Mr. Kendrick. That gentleman's case was not brought under the notice of the House with reference to any act of delinquency arising out of his conduct as a judge. It was Mr. Kendrick's conduct as a magistrate which was questioned, he being at the time a judge, when certain proceedings connected with his duties, as a Surrey justice were brought under the notice of the House. Another case to which the hon. Member for Finsbury has referred is that of an Indian judge, Sir Elijah Impey. Was there a motion for inquiry in that case? Nothing like it. A substantive charge was preferred against the judge, and laid upon the Table of the House. The next case was that of Mr. Justice Fox, an Irish judge, in 1806. In that case, the Marquess of Abercorn did not move for an inquiry, but made certain specific allegations, laid charges on the Table of the House of Lords, and declared his readiness to substantiate them by proof. If I mistake not, the hon. Member referred to the case of Lord Ellenborough, whose conduct was impeached in this House by Lord Dundonald, then Lord Cochrane. There, again, was no motion for inquiry; but Lord Cochrane preferred his charges, thirteen in number; he laid them on the Table of the House, offering, at the same time, to sustain them by proof. The last case was that of Sir Jonah Barrington. In that case a commission of inquiry had been going on, and certain charges affecting the character of Sir Jonah Barrington came out before it. The commission made a report upon which a bill was introduced into Parliament, and evidence taken in support of it at the bar of this House. I think, then, that with this single exception of Baron Smith's case, which has been already discussed, and to which I will not again for obvious reasons more particularly refer, I have alluded to all the cases which have occurred since the commencement of the reign of George the 3rd, and in each of these cases, instead of the House being called upon to go into an inquiry with the view of discovering evidence, distinct charges and specific allegations were made, and evidence was offered in support of them. I must say, that the noble Lord, the Member for London, appears to me to have treated the question with great fairness. What is the head and front of Lord Abinger's offending, as stated by the noble Lord? I will not weary the House by going through passages of the noble and learned Lord's charge, which have been cited but which are balanced by other passages almost in immediate context with those which are condemned; but, I must say, I think the noble Lord was somewhat hypercritical in the observations which he made upon this part of the case. The allegations against the prisoners about to be tried being that they contemplated extensive changes in the Constitution, and endeavoured to effect their object by means which, as the noble Lord, the Member for London, admits, approached to the very verge of treason, it surely was not unnatural or wrong that the learned Judge, having proof of those things in the depositions before him, should point out to the grand jury the extreme danger which was likely to arise from such doctrines so enforced. And here I may be allowed to observe, that the hon. Member for Greenock does not appear to be conversant with the forms of our courts of justice. At the time a judge addresses the grand jury the depositions which contain the essence of the proof to be offered in each case, are open before him. When Lord Abinger addressed the grand jury he was perfectly cognizant, on sworn testimony, not only of the outline of the charges, but of the nature of the evidence to be adduced, and knowing the extent of the crimes committed, and the extreme danger that resulted from the wide-spread conspiracy which existed, a conspiracy which had for its object a change in the form of Government to be effected by force, I cannot think that the learned Judge transgressed the bounds of prudence in distinctly stating his opinions on those points both to the grand jury and the petty jury. I agree with the hon. and learned Member for Horsham, in thinking that the time has not yet come, when, the question under consideration being such extensive political changes as those which have been referred to—changes which, in my opinion, involve the safety of the Monarchy and of the State—a sworn servant of the Crown can be justly charged with a violation of duty, if he ventures to declare his decided preference for the form of Government under which we live, as contrasted with the new form which it is sought by violence to impose on us. Petitions have been referred to; but do those petitions prefer any specific accusations against Lord Abinger. The greater portion of those petitions are identical in language, thus affording pretty clear proof, that they all flow from one and the same source. The hon. and learned Member for Horsham read some passages which were spoken at a meeting in Liverpool, where one of these petitions was agreed to, from which it appears that the object which the parties who conducted the meeting had in view, was to prejudice certain legal proceedings which are still pending, and which my desire not to interfere with the course of justice prevents me from alluding to more particularly, and this motion is not devoid of a similar purpose. The accusation against Lord Abinger in the terms of this motion is, that he delivered charges which were unfair and unjust "in their tendency." Is it then come to this, that the House of Commons is to be called upon to come to a vote which can be regarded in no other light than as a direct and specific condemnation of the conduct of a judge—not on account of particular words spoken by him—not on account of corrupt motives—not on account of any malversation in his office, but solely on account of certain alleged "tendencies" which hostile criticism may discover in his charges. In my opinion it is the duty of a judge in the first place to be bold in grappling with prerogative if it be pushed to an extent inconsistent with the liberties of the people. In the next place, it is equally the duty of a judge to be bold in grappling with the privileges of this House, which, confined within proper limits, are the best safeguards of the liberties of the people, but which may be carried to an extravagant length subversive of popular rights, and dangerous to the supremacy of law. I have said that it is the duty of a judge to deal with the prerogative of the Crown and the privileges of parliament, but I contend that a judge has also another duty to perform not less obvious, not less grave and difficult and important; he must boldly and fearlessly restrain the license of the people when it threatens the subversion of law, of order, and the form of Government which he is sworn to protect. It is the boast of the law itself and also of the judges of the land that nothing is so high as to be above the sphere of their authority, and nothing so humble as to sink beneath the notice of their watchful care. I think it is unjust to look at portions and fragments of a judge's conduct. The fair and the manly course is to look at the whole tenor of his life; not to dwell upon particular passages selected from certain charges, but to form a just estimate of his conduct from his general demeanour on the bench. I will not praise the charges of Chief Justice Tindal at the expense of Lord Abinger. I believe that both of those learned judges presiding over a special commission, in difficult circumstances, honestly, manfully, impartially and justly, did their best in the discharge of their respective duties. I am satisfied that in the conduct of Lord Abinger there was nothing corrupt, nothing in the slightest degree worthy of the reprobation of this House. I give the noble Lord the member for London credit for casting aside every feeling of party resentment on this occasion. It would ill become me to be the fulsome panegyrist of Lord Abinger; but I should be ashamed of myself if, from any personal considerations I, being satisfied that he has faithfully and honestly discharged his duty, should shrink from the vindication of his conduct when in my conscience I believe that his Lordship deserves not censure, but the highest praise. I recollect Lord Abinger's age — I recollect his position. Lord Abinger has risen to the greatest eminence by the rugged highway of his profession, not by the flowery paths of court favour, or undue partiality. He was the most distinguished advocate of his day, the most learned in the law—possessing, I believe, to an extent almost unexampled, the confidence of his clients, and winning the ready assent of juries by his knowledge of law, by his persuasive eloquence and his strong masculine good sense. Presiding in one of the highest courts of Westminster Hall, he can be no ordinary man, who retains his superiority when he has associated with him men like Mr. Baron Parke, Mr. Baron Alderson, and Mr. Baron Rolfe, who, one and all, are content to own Lord Abinger's superiority, not only in station, but in experience and merit. This being Lord Abinger's general character, and such his general conduct, it is hard, it is unjust, it is cruel, even on the part of those who may think that there are indiscreet passages in some of his charges, an opinion in which I do not coincide, to propose to send away a man of his age, his worth and high station, degraded by an angry vote of the House of Commons, at the instigation of party-malevolence.

Mr. *Sharman Crawford* meant to support the motion for an inquiry. The main question at issue was whether the charges of Lord Abinger had not tended to raise up a prejudice against the persons to be tried. If he found that a judge entered, in his charges, into the discussion of political matters, he must say, that he felt little disposed to respect that judge's impartiality. In his opinion the charges were those of a political partizan, and could not be justified. The punishments inflicted by Lord Abinger were of a severe description. Gentlemen spoke of imprisonment for a year and a year and a half as a slight punishment, but when it was accompanied by hard labour it was a very serious one. The effect of working on the treadmill for so long a period, upon prison diet, was in some cases loss of life to the individual. He had heard with great sorrow the speech of the noble Lord the Member for London, because, it contained expressions which were deeply injurious to public liberty, as coming from a strenuous advocate of that cause. The noble Lord's opposition to inquiry would deprive him of the confidence of the people. The hon. Member, who spoke amid much interruption, concluded with saying that he was sent there to support the rights of his constituents, and he did not think he could perform his duty better than by supporting the present motion.

Mr. *Watson* could not give a silent vote on the present occasion, as he intended to give it in support of the motion of his hon. Friend the Member for Finsbury. He would do so, for a very short and simple reason, drawn from a former speech of the noble Lord the Member for North Lancashire in the case of Baron Smith. The noble Lord on that occasion, said:—

> "We impute no motives—we do not condemn Baron Smith. We merely say that there is a *primâ facie* case, which calls for inquiry, and the House is bound to make that inquiry."

On this occasion he imputed no motives to Lord Abinger, he did not condemn that learned judge, but he did say that very grave and serious charges had been made by his hon. Friend; and the representatives of the people would not do their duty if they did not inquire into them. How far the inquiry was to be carried would depend on the evidence which his hon. Friend might be able to bring before the House. He differed from the right hon. Baronet the Secretary for the Home Department, that to vote for inquiry was to condemn Lord Abinger. If it were so, he would withdraw from voting on the question. But he must say there were some charges in the pamphlet put forth by Lord Abinger, and other matters stated by his hon. Friend, into which it was absolutely necessary to inquire. The charge made by the learned judge, either to the grand or petty jury, was not a legal charge. He did not say that every person in this country had a constitutional right to advocate any principles of Government, provided he did it by peaceable and lawful means; but that those who, under pretext of advocating such principles, broke the peace, and were the cause of public disturbance, were to be visited with punishment. The country was excited at the time the learned judge's charge was delivered. It behoved the learned judge to give calm and temperate directions to the grand jury and the petty jury, who were then too much inclined to punishment, and required such calmness and temper as were evinced by Lord Chief Justice Tindal. He repeated that he did not judge upon these matters now, but he thought they called for inquiry. He certainly thought, with all respect to Lord Abinger, that he had not shown himself a very good politician. He was an instance in support of what was sometimes said that lawyers were very bad politicians.

Mr. *Cardwell.* He regretted much to have heard the speech of his hon. and learned Friend who had just sat down, and as he had been an unworthy member of the bar who was present on the occasion and had seen the conduct of the noble Lord throughout the whole of the time which had been so frequently alluded to, he offered himself as a witness to the House. He would prophesy the motion of the hon. Member for Finsbury would not be granted; but he hoped the hon. Gentleman would not imagine that any identification of political opinion between him and the noble Lord would induce him to get up in his place and give false testimony. He trusted that he had sufficient regard for the profession to which he had the honour to belong to be very sensitive as to the truth of any charge which might be brought against it, and he could assure the House that he would have been more than ordinarily sensitive if he had heard one of the lights of that profession giving expression to sentiments which with truth might have been distorted in the manner they had been that night. As to the occasion on which the noble Lord was charged with having told a prisoner that Government had dealt too leniently with him, and he would have been happy to have passed a more severe sentence, was there anything particular in that? Was it not a frequent occurrence for a judge to tell a prisoner that he might think himself fortunate that the predicament in which he stood was not of a much more serious nature, which only happened because of the mode in which the indictment had been framed? Had it been framed in another way, the consequences would have been much more prejudicial to himself, and the judge hoped that the leniency, shown him upon that occasion would prove a warning to him for the remainder of his life, and a useful lesson to those who, like himself, were exposed to similar temptations. That was an every-day occurrence, yet who ever before thought of complaining of it? Divesting this question of all political bearings, unless the House were prepared to affirm that punishment should be inflicted from motives of personal vengeance only, not with the view of affording examples to others, the observations of Lord Abinger must be considered to have been worthy of his station and character. Something had been said about the demeanour of the noble and learned Judge, and the hon. Member for Finsbury had, while quoting, apologized for the expression "superinhuman." Now, it was difficult to describe in language demeanour, which had been witnesssed with admiration; but certainly his impression was, that the noble and learned Judge had only displayed the acumen and the penetration for which he was celebrated on the side of the prisoners until the fact was established that they had been really guilty, when he properly addressed them in just reprobation of their offences. Of this he was convinced, that had his hon. and learned Friend (Mr. Watson) been present in court, he would have felt it his duty to express a different opinion from that which he had given utterance to.

Mr. *Duncombe,* in reply, said, he had listened attentively to hear whether anything might fall from those opposed to the motion which should induce him to withdraw it. He was bound to say, he had heard nothing which should prevent him in the performance of his duty to the public from taking the sense of the House as to whether there should be inquiry into the conduct of this judge. The right hon. Baronet the Secretary for the Home Department said, it would ill become him to be the fulsome panegyrist of Lord Abinger, and he immediately followed up the declaration by pronouncing the warmest and most fulsome panegyric that had been delivered on the whole conduct of the noble Lord. The hon. Member for Horsham complained that he (Mr. Duncombe) had introduced reference to recreancy and political apostacy. But the hon. and learned Gentleman might have recollected, that, in his allusion to the political apostacy of a former day, he was quoting an expression of the right hon. Baronet the Secretary for the Home Department, who in addressing the electors of Cumberland, denounced Sir James Scarlett as a recreant Whig. Yet now they were told by the right hon. Baronet that, looking at the whole past life of this learned Lord, he saw nothing to find fault with; and he asked whether they on his side of the House, would send the learned judge, at his advanced age, and after the services he had performed, before a committee, in a degrading manner, by an angry party vote. What different language from that of the speech to which he had referred, and which he would now take the liberty of reading to the House. The House would recollect that it did not contain his sentiments, but those of the right hon. Baronet the Secretary of State for the Home Department. They came before the public with the authority of a Minister of the Crown, for the right hon. Baronet was then First Lord of the Admiralty under Lord Grey's Government. It was at the time of the general election of 1831, after the Reform Bill had been introduced, that the right hon. Baronet said, at Cockermouth:—

> "The last time I addressed you from these hustings, I remember I had a wish to know who represented the borough of Cockermouth, and, except the returning officer, no man could tell me; and who now represents that borough? [A voice: Scarlett]. Ay; and sorry I am to hear him named in that way, for he was once a valued friend. I am glad, said Mr. Duncombe, he is restored to that honour. Yes; the ex-Attorney-general, a recreant Whig, a follower of Fox, a nominee of Earl Fitzwilliam, a man honoured and respected until he began to wage (an infamous) war with the press—he, I say, has been obliged to fly from the indignation of the people, and seek refuge in Cockermouth under the wing of my Lord Lonsdale. He has crept into the House of Commons through the postern-gate, of which a reverend vicar, now on these hustings, keeps the key. He has skulked from the offended majesty of the people, and is to be found the representative of those burgage tenures for which the late Mr. Satherthwaite showed so much fondness—[a voice in the crowd: 'How do you like that, my Lord?']"

"And I say now," said Mr. Duncombe, "how do you like that, my Lord?" When the right hon. Baronet said, it would ill become him to be the fulsome panegyrist of Lord Abinger, he (Mr. Duncombe) entirely agreed with him, and wished he had not, by going further, made it necessary for him to allude to the Cockermouth speech. The hon. Member for Bute asked whether a Privy Councillor was not to have political opinions? Of course, he might, but a judge had no business to bring his politics upon the Bench, any more than a clergyman had to bring them into the pulpit. The hon. and learned Gentleman said, that Lord Abinger only claimed what the Chartists claimed for themselves. Nobody thought of denying that the noble Lord might have political party sentiments. He might indulge them in the House of Lords, at the Carlton Club, at Norwich, or anywhere else; but he had no right to let them influence him on the judgment-seat, when the lives or liberties of men were at stake, and where the noble Lord's politics might do serious injustice to several individuals. He confined himself to the printed charges of Lord Abinger, though he did not know why they might not as well rely on the reports of the *Times* or the *Manchester Guardian,* which some hon. Members seemed to sneer at. He believed that the *Times* and the *Manchester Guardian* possessed some of the best reporters in this country. Those reporters attended on the occasion, and he had reason to believe that they were prepared to prove the correctness of their reports. Lord Abinger's published versions of the charges had never appeared until notice was given at a public meeting that they would be brought before the House of Commons. They did not materially differ from the reports in the *Times,* but words were inserted here and there, which gave, in point of fact, to some sentences quite a different meaning from that of the newspaper report. If the committee of inquiry had been granted, he could have proved to them that the report, which had been so often alluded to, and which had been so much quoted, was not the most correct report; and he was surprised that when the hon. Member for Bute had quoted the examination of a witness by Lord Abinger, proceeding from the reporter sent down by Government, that he did not also quote the charge of Lord Abinger by the same reporter. [Mr. *S. Wortley* had not the report.] Yes, but you might have got it. If he could have got the inquiry, parties could have been produced to show that the report published by Lord Abinger was not a correct report. The report also given by Mr. Gurney was at the command of the Government, and could have been produced. He said that this was a fit subject for inquiry. The Attorney-general had complained of these petitions. He said there were but six or eight of them, and there was not one that proceeded from the parties aggrieved. He should like to know what would be the effect of producing these petitions. He had read a letter from one of the parties (Wild) stating his complaint, which he conceived to be equal to a petition. But let him suppose that he had presented a petition from Wild, or any other of the prisoners, would they on the other side, consent to an inquiry? Would they consent to an inquiry if petitions hereafter were produced? Not a bit of it. As they would not consent to the present motion, under the circumstances in which it was brought forward, so they would not consent to it under any other circumstances. Why then throw out such objections, which, if removed, could be of no avail? This was a sort of special pleading on the part of the Attorney-general which he did not expect; for if he produced those petitions, he would be as far removed from inquiry as ever. And then the hon. Member for Woodstock had said, that if they encouraged petitions of this sort, they would have petitions from every disappointed suitor, who would be coming to that House and asking them for redress, and seeking for an inquiry into the conduct of the judges. Was that the case at the present moment, when the hon. and learned Attorney-general complained that they had not a petition from one of the disappointed suitors; and if they had, then another hon. and learned Gentleman told them they should have no inquiry. Why, it was utterly impossible to please these learned Gentlemen. This was not a private case. This was not a case of private wrong. The whole nation was interested in this question, and the whole of the people were looking to it; and they were about to see them in that House put a direct negative on the motion for an inquiry. The hon. and learned Attorney-general said he would meet this motion by a direct negative, and he said that he had an objection to judges delivering charges that had a political tendency; but then he denied that the charges of Lord Abinger had a political tendency. But all the other supporters of the noble Baron, who had spoken that evening, said that his charges had a political tendency. Other hon. Gentlemen were more candid than the Attorney-general, for they not only said that the charges had a political tendency, but that they ought to have a political tendency, because they rose out of political events. No one attempted to answer the argument of the hon. and learned Member for Cork, that if the charges should necessarily be of a political character, why was it that Chief Justice Tindal, who had also to dispose of political trials, did not deliver charges of exactly the same character? He thought, that of all the debates he had ever heard in that House, there never was one in which there was to be found so little of argument and of reason in opposition to a motion. They were, he said, determined to screen this judge. The public, however, would judge them and condemn them. He was satisfied that the public could come but to one conclusion with respect to those in that House, and that was, that they, in their desire to screen a delinquent judge, lost sight of that which was owing to the people and to justice. Aye, the delinquencies of the judge would go forth to the country—they showed that it would not bear that inquiry, which he challenged them to enter into. He said that the public would come to the conclusion that, in their desire to screen a delinquent judge, they lost sight of that which was due to the pure and impartial administration of justice.

Mr. *Scarlett* had one word to add as to the accuracy of what Lord Abinger had published. He might state that he knew that what was published in the pamphlet was taken from *The Times*, and only some small alterations made in it, such as any one would make who wished to correct the mistakes—the usual mistakes of a report. Further, he had the best reason for believing that if that report were compared with the short-hand notes taken by Mr. Gurney, it would make it appear that there was less point—in many of the allusions less point than in that report which Lord Abinger had published.

The House divided:—Ayes 73; Noes 228: Majority 155.

List of the AYES.

Aglionby, H. A.
Archbold, R.

Barnard, E. G.
Berkeley, hon. C.
Berkeley, hon. H. F.
Blake, Sir V.
Bowring, Dr.
Brotherton, J.
Busfeild, W.
Chapman, B.
Christie, W. D.
Cobden, R.
Colborne, hn. W. N. R.
Collins, W.
Cowper, hon. W. F.
Crawford, W. S.
Dawson, hon. T. V.
Dennistoun, J.
Duncan, G.
Dundas, Adm.
Dundas, hon. J. C.
Elphinstone, H.
Ewart, W.
Ferguson, Col.
Fleetwood, Sir P. H.
Gill, T.
Gore, hon. R.
Granger, T. C.
Hall, Sir B.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hollond, R.
Horsman, E.
Hume, J.
Hutt, W.
James, W.
Johnson, Gen.
Layard, Capt.
Leader, J. T.
Listowell, Earl of
Macaulay, rt. hon. T. B.
Marjoribanks, S.
Marsland, H.
Martin, J.
Mitcalfe, H.
Mitchell, T. A.
Morris, D.
Murphy, F. S.
Napier, Sir C.
O'Brien, W. S.
Paget, Col.
Pechell, Capt.
Plumridge, Capt.
Ponsonby, hon. J. G.
Ricardo, J. L.
Roche, Sir D.
Roebuck, J. A.
Ross, D. R.
Russell, Lord E.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, E.
Thornely, T.
Turner, E.
Villiers, hon. C.
Wakley, T.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Williams, W.
Wood, B.
Yorke, H. R.

TELLERS.

Duncombe, T.
Wallace, R.

List of the Noes.

Acland, T. D.
A'Court, Capt.
Acton, Col.
Adare, Visct.
Adderley, C. B.
Ainsworth, P.
Allix, J. P.
Antrobus, E.
Archdall, Capt.
Arkwright, G.
Astell, W.
Bagge, W.
Bagot, hon. W.
Baird, W.
Baldwin, B.
Bankes, G.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Baskerville, T. B. M.
Bateson, R.
Beckett, W.
Bell, M.
Bentinck, Lord G.
Bodkin, W. H.
Boldero, H. G.
Borthwick, P.
Botfield, B.
Bradshaw, J.
Bramston, T. W.
Broadley, H.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buckley, E.
Buller, Sir J. Y.
Bunbury, T.
Burrell, Sir C. M.
Campbell, Sir H.
Campbell, A.
Cardwell, E.
Cavendish, hon. C. C.
Chelsea, Visct.
Chetwode, Sir J.
Cholmondeley, hn. H.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Cochrane, A.
Collett, W. R.
Colquhoun, J. C.
Colvile, C. R.
Compton, H. C.
Corry, rt. hon. H.
Cresswell, B.
Cripps, W.
Damer, hon. Col.
Denison, E. B.
Dickinson, F. H.
D'Israeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Dowdeswell, W.
Drummond, H. H.
Duffield, T.
Duncombe, hon. A.
Duncombe, hon. O.
Dundas, D.
East, J. B.
Egerton, W. T.
Egerton, Sir P.
Eliot, Lord
Emlyn, Visct.
Escott, B.
Farnham, E. B.
Feilden, W.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, Capt.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Fox, S. L.
Fuller, A. E.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gladstone, J. N.
Glynne, Sir S. R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hn. H.
Graham, rt. hon. Sir J.
Greenall, P.
Greene, T.
Gregory, W. H.
Grimsditch, T.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Halford, H.
Hallyburton, Lord J.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hanmer, Sir J.
Harcourt, G. G.
Hardinge, rt. hn. Sir H.
Hardy, J.
Heathcote, Sir W.
Henley, J. W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hervey, Lord A.
Hinde, J. H.
Hodgson, R.
Hogg, J. W.
Hope, hon. C.
Hope, A.
Hope, G. W.
Hornby, J.
Houldsworth, T.
Hughes, W. B.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Knight, F. W.
Lambton, H.
Law, hon. C. E.
Lawson, A.
Lennox, Lord A.
Liddell, hon. H. T.
Lincoln, Earl of
Lockhart, W.
Lowther, J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Maclean, D.
Mahon, Visct.
Mainwaring, T.
Marsham, Visct.
Martin, C. W.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Mordaunt, Sir J.
Morgan, O.
Munday, E. M.
Neville, R.
Newport, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
Ogle, S. C. H.
Packe, C. W.
Paget, Lord W.
Palmer, R.
Palmer, G.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Pollock, Sir F.
Ponsonby, hon. C. F. C.
Pringle, A.
Protheroe, E.
Pusey, P.
Rashleigh, W.
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Rose, rt. hon. Sir G.
Round, J.
Rous, hon. Capt.

Rushbrooke, Col.
Russell, Lord J.
Rutherfurd, A.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scarlett, hon. R. C.
Seymour, Lord
Shaw, rt. hon. F.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smythe, Sir H.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stanley, hon. W. O.
Stewart, J.
Stuart, W. V.
Stuart, H.
Sutton, hon. H. M.
Tennent, J. E.
Thesiger, F.
Thompson, Mr. Ald.
Thornhill, G.
Tollemache, J.
Trench, Sir F. W.
Trevor, hon. G. R.
Trollope, Sir J.
Vivian, J. E.
Walsh, Sir J. B.
Winnington, Sir T. E.
Wodehouse, E.
Wortley, hon. J. S.
Wortley, hon. J. S.
Wyndham, Col. C.
Young, J.

TELLERS.
Fremantle, Sir T.
Baring, H.

PAWNBROKERS (IRELAND).] Lord *Eliot* then moved for leave to bring in a bill to amend the laws relating to pawnbroking in Ireland. The noble Lord stated that the bill was partly founded upon the report of a committee of the House, which had sat in 1838 upon the subject.

Mr. *Wallace* wished that some measure could be introduced with reference to the subject, applying to the United Kingdom generally.

Leave given.

House adjourned at three quarters past twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 22, 1843.

MINUTES.] BILLS. *Public.*—3°· and passed:—Forged Exchequer Bills; Coroners Inquests.

Private.—1°· Hull and Selby Railway; Norland Estate Improvement; Newcastle and Darlington Railway; Nottingham Lighting; Great Gransden Inclosure; Oxford Railway; Bethnal Green Improvement; Forth Navigation.

PETITIONS PRESENTED. By Mr. G. Wood, from Rendall, for the Repeal of the Income-tax.—From Warrington, for the total and immediate Repeal of the Corn and Provision-laws.—From Joseph Freestore for a Tax on Machinery.—From Samuel Kenyon for inquiry into the Present Distress, and suggesting Remedies.—By Mr. Goulburn, from Cambridge for Church Extension.

PERSONATION OF VOTERS.] House in committee on the Personation of Voters' Bill.

On clause 1,

Mr. *Liddell* had not thought it desirable to frame a new statutable offence, or to fix new penalties, conceiving that on those points the Reform Act was sufficiently operative. The object of this bill was to render the application of the law more effective. It had been represented to him, that the present form of indictment for the offence was most cumbrous and awkward; and he conceived it would be beneficial to shorten and simplify it. He also thought it would be well to increase the penalty from *5l.* to 10*l.* Through an inadvertence apparent on the face of the bill, it had been provided that two justices of the peace should be present in each polling-booth. That, of course, would be needless, and, on further consideration, it was his opinion that, as neither the sheriff nor the other returning officer had the power of securing the attendance of justices, although most desirable, the proposed enactment would be omitted. It had occurred to him, that the provisions of the bill might not be inapplicable to municipal elections; and certainly, as to Ireland, he felt that the bill was much required—perhaps more so than in this country; but he regretted, that so much alteration would be required to extend it to the sister island, that he had been compelled to relinquish the idea.

Mr. *Williams* said, although he agreed in the principle of the measure, he altogether protested against the practice (so much now-a-days in vogue) of bringing in bills to change by piecemeal great legislative enactments. These amending bills so accumulated in a short time as to render it impossible to know what the law really was. Why could not the provisions of this bill be introduced into the Registration of Voters Bill, with which, in object, it was closely connected?

Mr. *Mackenzie* differed from the hon. Gentleman, and thought the hon. Member who had brought in this bill entitled to the gratitude of the House. But, as to the clause respecting taking into custody the personators of voters, he thought as at present framed it would be practically nugatory, as affording no really efficient means of catching the fellows, or dealing with them both in a manner as exemplary as summary.

Mr. *Shaw* was sorry to find that his hon. Friend did not intend to include Ireland in the bill. But he believed that the measure would be rendered more efficient if further time were given to consider its details. The bill would also be more useful if it extended to municipal elections. He wished his hon. Friend would postpone its further consideration.

Mr. *Ross* thought it would be most desirable that the provisions of the bill should be extended to Ireland.

Mr. *Mackinnon* considered it would be a great object obtained if the bill were made a general measure. By doing that, most of the objections of the hon. Member for Coventry would be obviated. A general bill of such a nature was very much wanted in the country. The bill, as at present drawn, could not apply to Ireland; and added to this it was most desirable to prevent personation at municipal and parochial elections. He trusted his hon. Friend would withdraw this bill, and bring in a general measure. Personation had been carried on to a great extent in voting for Church-rates.

Mr. *S. O'Brien* said, there was no reason why the present bill should not extend to Ireland, but he denied that personation existed in Ireland.

Sir *C. Burrell* was also of opinion that the present bill ought to extend to Ireland, and no better reason could exist for extending it to Ireland than that the Irish Members themselves were in favour of it. It was hardly worth while to discuss whether there were more personation in England than in Ireland. His belief was, that they were both guilty. He hoped that the hon. Gentleman would consider the observation which had been made.

Mr. *Brotherton* thought, that if the hon. Member introduced so many subjects into his bill, he would not be likely to carry it. When his hon. Friend, the Member for Coventry, talked of an isolated measure, he forgot his own measure with regard to freemen. He thought that the hon. Member had better not extend his bill to Ireland. He would recommend the hon. Member to let the bill remain as it was.

Mr. *Liddell* would be glad to profit by the suggestion of the hon. Member, and to persevere in the bill as it stood. He would not undertake to legislate for Ireland. If it had been necessary to have a separate Reform Bill for Ireland, he hoped he might be excused from legislating for Ireland on this subject. Let the House affirm the principle of the bill as regarded England, and it would be very easy afterwards to extend it to Ireland. He would not encumber his bill by attempting to legislate for municipal elections, or any other elections except Parliamentary elections. He thought the fears of the hon. Member for Peebleshire, as to the probability of *bonâ fide* voters being detained, were greatly exaggerated. A person accused would be taken at once before two magistrates, and if no accuser were forthcoming, he would be discharged. Did any Member imagine, that an individual would have any difficulty in proving his identity? No person could possibly swear a man out of his identity. No magistrate would detain Mr. George Thompson if that individual was really Mr. George Thompson.

Mr. *Vernon Smith* thought that the bill would serve no purpose but to enable people wantonly to delay the poll, and prevent electors from voting. The object of the hon. Member for Durham would be better obtained by embodying the provisions of this bill in a general Registration Act.

Sir *J. Graham* said, that when his hon. Friend had consulted him upon this measure, he said, that he did not contemplate making any alteration in the provisions of the Reform Act. With regard to the crime which was sought to be put down, as far as his experience went, he thought it was not so prevalent as to require any alteration in the existing law. In the bill which he had introduced with regard to registration, he had carefully abstained, as far as possible, from interfering with the Reform Act. With respect to personation, he thought, that in England at least the offence was not so prevalent as to require legislative interference. Still, if the House should be of a different opinion, he thought it would be as well to discuss the subject upon the bill before the House, as upon the Registration Bill, and in case the bill were proceeded with, he thought it would be desirable to extend the bill to the whole of the United Kingdom. The preamble being postponed, there would be no difficulty in effecting that object. He thought the bill before the House was open to some objections; it was he thought capable of great abuse. In the midst of an election, with its usual excitements, a gentleman might come up to vote; some person on the opposite party, a man of straw, might deny his identity, and the voter would be immediately taken into custody amidst the derision of the multitude, and be detained in custody for the space of twelve hours. True, it might be said, that it would be easy to find two magistrates. But suppose it was near the close of the poll, and two magistrates could not be found? in that case a gentleman of respectability would unavoidably be prevented from voting through the operation of the bill. It was the intention of the Government to introduce a bill for regulating the Irish registration, and it might be necessary to deal with this misdemeanour separately as regarded Ireland; he was not able to assure the House that any measure would be introduced this Session with regard to Scotland; he had stated the facts that induced him to think it expedient why this bill should be settled as it affected all the United Kingdom. But if, on the other hand, it should be the opinion of the House, that it would be better upon the whole to deal with the question separately with regard to each part of the kingdom, he should be ready to agree to that course; in the former case, the legislation for England might form the basis for that in other parts of the kingdom.

Lord *Harry Vane* wished the House should clearly understand the terms upon which he would consent to postpone for the present the further consideration of the bill. He had listened with very great attention to the speech of the right hon. Baronet, the Secretary of State for the Home Department, and it appeared to him, that the objections of the right hon. Baronet might have better been urged on the second reading of the bill. The right hon. Baronet had said, that from what he had learned with regard to elections in this country, the offence of fraudulent personation of voters was not sufficiently extensive, sufficiently notorious, or sufficiently general, to make it worth while to enact a specific remedy for the evil. Now he was of a different opinion upon that subject. The right hon. Baronet, however, had said, that he was in the hands of the House, and that if the House disagreed with him upon that point, he should introduce provisions similar to those contained in the measure before the House into his English Registration Bill. The right hon. Baronet had gone on to say, that in case he saw reason to approve of the provisions in England, he should also introduce analogous clauses into his Irish Registration Bill. He thought therefore it was very desirable, that the opinion of the House should be taken as to whether it was desirable that this subject should become the object of legislative interference. He should, therefore, divide the House upon the first clause, with a view to ascertain the feelings of the House upon the subject, and if the House should decide in favour of the principle of the measure, he would then withdraw the bill, conceiving that the right hon. Baronet had given what amounted to a pledge, that he should introduce into his English Registration Bill clauses calculated to meet the objects of the present measure.

Sir *J. Graham* did not think, that if the House were then to divide upon the clause, the result of the division would be satisfactory, as many hon. Members objected to details involved in that clause.

Mr. *C. Wood* said, that anything so preposterous there could not be, as on the assertion of any individual who might chance to be present, to take a man into custody and keep him imprisoned for twelve hours, till two magistrates could be provided, when perhaps there might be no means of providing those magistrates. That was a proposal which no Gentleman in that House would, he was sure, entertain. It was clear, that by taking the sense of the House on the first clause, the question would not be decided. He would recommend to the hon. Gentleman to withdraw the bill for the present, and it could, after a consultation with the Government, be decided, either that the whole question should be embodied in one bill, or that separate bills for England, Ireland, and Scotland, should be introduced, with provisions applying to the different circumstances of each country.

Sir *J. Graham* suggested to the hon. Gentleman to move, that the Chairman report progress, and ask leave to sit again. Let the hon. Member keep the bill in its present condition till the Registration Bill, for the committee on which he had given notice for Monday next, should go into committee, and if the measure then submitted to the House did not meet the views of hon. Gentlemen, the hon. Member could then carry forward his measure.

Mr. *Liddell* said, after what had fallen from the right hon. Baronet, he considered that the object he had in view had been obtained. His object was not a private one, but to put an end to a great public grievance. He would follow the course suggested by the right hon. Baronet, and moved, that the Chairman report progress, and ask leave to sit again.

Mr. *Cripps* wished to know, whether it were the intention of the right hon. Baronet to persevere in moving the second reading of the Registration Bill on Monday next?

Sir *J. Graham* said, that the bill had been printed this day, and would be in the hands of Members to-morrow, and if, under such circumstances, hon. Members thought that Monday would be too early a day for the second reading, he would have no objections to postpone it, but he thought they might read it a second time on Monday, going into the details in committee.

House resumed,

The Chairman reported progress. Committee to sit again.

Forged Exchequer Bills.] On the question that the forged Exchequer Bills Bill be read a third time,

Mr. *W. Williams* expressed his dissatisfaction with the principle upon which this bill was founded, and protested against the taxing of the people to the extent of 262,000*l.*, for the purpose of affording compensation for these forgeries. He called upon the Chancellor of the Exchequer to state in explicit terms how he would deal with any future Exchequer bills that might be forged. There were no provisions in the present bill that afforded a security to the public against the repetition of similar forgeries. He did not wish to comment upon the manner in which the different claimants had been classified, but he could not help observing that the case of Mr. Inglis, to whom compensation was refused, appeared to be an extremely hard one. He knew nothing of that Gentleman, but looking at the evidence that had been given in his case, he could not understand why his claim was rejected.

The *Chancellor of the Exchequer* in reply to the question which the hon. Gentleman had put to him, as to what course he would take in the event of future forgeries of Exchequer bills, could only ask the hon. Gentleman another question—if, four years ago, he (the Chancellor of the Exchequer) could have supposed that a fraud of this kind would have been committed, and had asked the hon. Gentleman what course he would take with respect to it, would the hon. Gentleman have been able to give him any definite answer. The fact was, that the whole case was a very extraordinary one. A number of circumstances had, in this one instance, combined to facilitate the fraud, which were never again likely to combine together. For 150 years previous no instance had been known of a forgery of Exchequer bills: nor did he (the Chancellor of the Exchequer) believe that the forgery could have been effected in this instance but for the corruption of the particular officer who was guilty of the fraud. When the hon. Gentleman said that the measures now adopted, afforded no protection against the repetition of the fraud, he must be allowed to differ from the hon. Member. The precautions taken were such as, he believed, would place it beyond the skill of the most ingenious person to repeat the forgery. The regulations now adopted with respect to Exchequer bills were such, as in his opinion, to render a forgery of them impossible, even though the same combination of individuals and of circumstances, that had existed in the recent case, should again occur. He admitted that there was some apparent hardship in the case of Mr. Inglis, but contended that the claim of thatgentleman was against Mr. Morgan, with whom the bills were deposited, and not against the Government.

Mr. *Ellice*, speaking alike from a knowledge of Mr. Inglis, and of the circumstances under which his loss had been incurred, pressed upon the Government the very great hardship of his case. No one who had looked into the evidence of the case could question that Mr. Inglis was an innocent sufferer from the fraud of a public servant. Upon what possible ground then, was his claim rejected? He trusted that the Chancellor of the Exchequer, convinced as he must necessarily be, of the great hardship of this case, and of the perfect justice of Mr. Inglis's claim, would consent to reconsider the case, and to place Mr. Inglis's name upon the list of those who were to receive compensation.

Mr. *M. Attwood* confirmed the statement of the hon. Member for Coventry (Mr. Ellice), as to the great hardship of Mr. Inglis's case, and expressed a decided opinion that it would only be fair and just that that gentleman should be compensated. If he were not, he thought that Mr. Inglis would have reason to complain of having been treated with great injustice.

The *Chancellor of the Exchequer* felt that if the claim of Mr. Inglis were admitted, it would in fact, amount to the granting of so much of the public money, not to Mr. Inglis, but to Mr. Morgan, whose claims were rejected.

Bill read a third time and passed.

Adjourned at half-past six o'clock.

HOUSE OF LORDS,

Thursday, February 23, 1843.

MINUTES.] BILLS. *Public.*—$1^{a.}$ Forged Exchequer Bills; Transported Convicts; Coroner's Inquests.

$2^{a.}$ House of Lords' Oaths.

PETITIONS PRESENTED. By the Marquess of Lansdowne, from the Union of Kenmare for Alterations in the Irish Poor Laws.—By the Bishop of Bangor, from Manchester, Wrexham, Kinnerly, Llanyeil, Cilcen, Derwen, Llangwstenin, Llanferrers, Tryddyn, Eghwys, Rhos, Bettws Caedowen, St. Martin's, Shropshire, Llanfair-telhaiarn, Dyffryn, Clwyd, Bristol, Holywell, St. Asaphs, Ysceifiog, Llangwyfan, Denbigh, Llanychan, Clocaenog, Festiniog, Maentwiog, Llanfairynghornroy, Llanbado, against the Union of the Sees of St. Asaph and Bangor.—By a noble Lord from Llan-fair-tathaiarn and Marston, St. Lawrence, for the Extension of the Church of England.

CHURCH OF SCOTLAND.] Lord *Campbell* rose to put a question to her Majesty's Ministers, of which he had given notice—namely, whether it were their intention to bring in any measure with the view of settling the disputes that at present unhappily disturbed the Church of Scotland? Rumours were abroad that her Majesty's Government would perhaps bring in a bill on the subject, and it was of importance that it should be known whether there were any foundation for those rumours, for if false expectations were entertained, mischievous consequences might ensue.

Lord *Wharncliffe* said, there had lately been a decision of the Court of Session respecting what were called the *quoad sacra* parishes, and an appeal against that decision had been sent up to the House of Lords. Until that appeal had been decided, it would be impossible for her Majesty's Government to determine whether or no they would propose a measure on the subject to Parliament. Should that decision be confirmed, Government were of opinion that inconveniences might arise with respect to Church-extension; and, therefore, would feel disposed to originate some measure to meet the inconvenience. With respect to the second part of the question, he meant the question of what was generally called Non-intrusion, her Majesty's Government had lately laid down their views on the subject in a letter which had been made public, and to those views it was their intention strictly to adhere.

Lord *Brougham* said, it would certainly be inexpedient to pronounce any opinion, or to take any legislative step, while the *quoad sacra* question was pending before their Lordships. But that question, it should be observed, had no connexion whatever, had no reference whatever, had no bearing whatever, let the decision of their Lordships' House be what it might, on the question of non-intrusion. He was glad, therefore, to hear the declaration of the noble Lord, that the Government intended strictly to adhere to the principles laid down in the very able, luminous, judicious and learned argument of his right hon. Friend, the Secretary for the Home Department. He had read that argument with the greatest satisfaction, and in every word of it (with the exception, perhaps, of one passage, which he regretted, because it might be misunderstood and leave room for some vain expectation that the question would be opened again) he entirely coincided. The question had been argued in the civil courts, and it had been brought before their Lordships; and the decision in each case was directly opposed to the claim that had been set up by the church. The law, therefore, had been declared to the church of Scotland by the highest authority—by the only authority that in this kingdom could declare what the law truly was. He was deeply grieved that a part of the church—he was afraid a majority of the church — that is of its pastors—rejected that decision, and adhered to their own wilful and pernicious errors. He was sorry that those who were the representatives of the church of Scotland, and who ought to appear in the character of peacemakers and ministers of the gospel, who should in that character set an example to their fellow-subjects of willing, prompt, and complete obedience to the law of the land, had adopted an opposite course, and placed themselves in a position of discreditable resistance to it. They insisted upon the right of deciding on all spiritual questions, and nobody grudged them that right; but the intolerable claim they further set up was, that on each question they should be the sole judges whether it was a spiritual or a civil question. In other words, they assumed to themselves a jurisdiction which was contrary to the law, and went to set all law aside.

No well-governed country—no civilized community—no properly-established Government could exist—if within its limits, there was an authority greater than the law, and vested with power that went beyond those even of the Legislature itself. He was exceedingly glad that the Government intended to act in the manner which had just been announced. They would thus put an end to, and cut off all the hopes of these parties who thought that, by holding out longer against the courts of law, they would finally prevail not only over the authority of the law, but over the Parliament itself. It would show them that they had no chance whatever of accomplishing what they wished—of having their vain and extravagant claims recognized and submitted to. As to enacting new laws—as to framing new acts of Parliament—as to sanctioning new statutes, for the purpose of settling this question, it would be only giving these parties another opportunity of flying in the face of the decision of the courts—of refusing to acquiesce in the opinion of the Legislature; it would be giving them new laws to break before they submitted to the old ones; and it would, therefore be an entirely vain, and, in his opinion, a wholly undignified course.

The Earl of *Minto* expressed his entire satisfaction at the answer which had been given to his noble and learned Friend, and he was sure that that answer would give great satisfaction to a larger portion of the people of Scotland inasmuch as it would tend to put an end to that state of uncertainty which, more than anything else, had been the means of keeping up the agitation on this subject, and it would procure for the Government a degree of support from the Church and the country in that kingdom, which, perhaps, noble Lords opposite were not prepared to expect. Numbers had hitherto withheld their support, in consequence of the doubts entertained as to the course which would be taken by the Government. He understood the answer of the noble Lord precisely in the same manner in which it had been received by the noble and learned Lord who had just sat down, and he repeated the expression of his perfect satisfaction with that answer.

Lord *Campbell* said, that feeling the great importance of the subject, he was not without a hope that even such an humble individual as himself might possess some influence in bringing this controversy to a settlement. He did not blame the church of Scotland for passing the veto law. Great abuses had existed in the exercise of patronage, and that law had been passed with the fair and laudable object of correcting those abuses. He did not blame the church of Scotland for acting on the veto law, until that law had been declared by their Lordships to be illegal. The church had a right to take the opinion of the court of the highest jurisdiction in the kingdom on the subject; but he did severely blame the church of Scotland for continuing to act upon that law after it had been declared to be illegal. There had been two decisions of their Lordships in the two Auchterarder cases, and both those decisions left the spiritual jurisdiction of the church of Scotland unimpaired. But now it was said, that patronage ought to be abolished. Why, patronage had been made a condition of the establishment of the church of Scotland. It had been expressly stipulated, that the rights of lay patrons should be preserved, and those very persons who now made a claim for the abolition of patronage, had themselves entered the church upon the presentation of patrons. He would next allude to the demand to which his noble and learned Friend had referred about jurisdiction. It was, that an act of Parliament should be passed, entirely preventing the civil courts from questioning the decisions of the Ecclesiastical Courts. This demand arose from the clergy misunderstanding the grounds upon which the courts of Scotland had proceeded. What these courts had done, had been done upon just and legal grounds. If a Presbytery had sought to depose a minister because he was unlearned, heterodox, or immoral, then the Civil Courts would not interfere. But if it sought to depose a Minister on frivolous grounds, such, for instance, as that he was six feet high, or that his hair was of a particular colour, why then there being no good or substantial reason for his deposition, the court would interfere, because such a proceeding would be a nullity. It was not interfering with the spiritual jurisdiction of the Ecclesiastical Courts to examine the grounds of their decision. In England, the distinction was familiar to every lawyer. If the Ecclesiastical Courts proceeded to depose a clergyman because his conduct was immoral, no court in Westminster Hall would interfere with the decision. But if the Ecclesiastical Courts should proceed to deposition without just and legal grounds, the courts of common law would grant a prohibition; and if the parties proceeded in spite of that prohibition, it would be followed up by the attachment and imprisonment of the person so offending. The demands made by the church of Scotland were wholly inadmissible, and had very properly been rejected by her Majesty's Government. He might, however, be allowed to express a hope that a reasonable view would still be taken of the question, and that the calamity might yet be avoided of a secession of nearly half the clergy from the church. He looked to the consequences of such a secession with grief and apprehension. Not that he sympathised with the leaders in the movement. The *éclat* that they would acquire would secure them against any serious inconveniences, even if they should renounce their connection with the church. But it would be very different with the poor clergymen in obscure parts of the country, and it made his heart bleed to think of the situation in which they would place themselves and their families. Their Lordships might be aware that there was a fund for the widows and orphans of the ministers of the church of Scotland, which was of the greatest benefit, but the advantages of which would be lost by the families of those ministers who seceded from the church. He hoped, however, there was still time for reflection, that the secession would not take place, or that it would be found to be harmless, and that the church of Scotland would still retain her motto—*nec tamen consumebatur.*

Subject at an end.

POOR-LAWS (IRELAND).] The Marquess of *Lansdowne* presented a petition from a considerable Poor-law Union in the south of Ireland, praying that considerable changes might be made in the Irish Poor-law. In presenting this petition, he begged he might not be understood as giving any opinion on the subject. He had reason to believe that her Majesty's Ministers had instituted inquiry into the operation of the Poor-laws in Ireland, and he was willing to abide the result of that inquiry.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 23, 1843.

MINUTES.] BILLS. *Public.*—1°· Justices of Peace (Ireland); Foreigners Naturalization; Apprehension of Offenders; Punishment of Death.

Committed.—Coal Vendors Penalties.

Private.—2°· Cromford and Highpeak Railway; Warwick and Leamington Union Railway; Kentish Town Paving; Birkenhead Cemetery; Birkenhead Improvement.

PETITIONS PRESENTED. By Sir R. H. Inglis, and Mr. W. O. Stanley, from Llannefydd, Wrexham, Fryddyn, Archdeaconry of Essex, Deanery of Rochford, Archdeaconry of Sarum, Windsor and Eton Church Union, and Llangefni, against the Union of the Sees of St. Asaph and Bangor. —By Mr. D. Barclay, from Sunderland, for the Emancipation of the Jews from civil disabilities.—By the same, from the same place, and by Mr. Gill, from Plymouth, and Mr. T. S. Duncombe, from St. James's (Westminster), for the Repeal of the Income-tax.—By Mr. H. Grattan, from Carrickmacross, against the Irish Poor-law.—From Grange, and Borrowstouness Collieries, for the Repeal of the Mines and Collieries Act.—From Ferriby, for Limiting the Hours of Labour.—From Samuel Gordon, for the Repeal of the Corn-laws.—By Mr. T. S. Duncombe, from the Tower Hamlets, for Inquiry into the Proceedings of the late Special Commission.—From Pentrevoelas, Westbury, Minsterley, and the Archdeaconry of Essex, for Church Extension.—From Dailly, for a Settlement of the Scotch Church Question.—From the Archdeaconry of Essex, for amending the Parochial Assessments Act.

CORN-LAWS.] Mr. *G. Bankes* rose to put the question, of which he had given notice, to the hon. Member for Dumfries. Perhaps that hon. Member would be good enough to state as nearly as he could the terms of the motion which it was his intention to submit to the House next week relative to the Corn-law.

Mr. *Ewart* said, considering that, in the present state of the country, whether the agricultural or the manufacturing interest was regarded, it was impossible that the existing Corn-law should continue [" Order."]

Mr. *G. Bankes* wished the hon. Member to state the terms of his motion.

Mr. *Ewart* said, he had placed them on the paper; but if the hon. Member wished him to explain them he was ready to do so. He begged that they might be read.

The Clerk read the words of the resolution, to the effect,

> "That, it having been acknowledged on the part of the Ministry of this country, that the present Corn-law is not a settlement of the question, and there being reasonable grounds for believing that the existence of such law will be of short duration, it is just and expedient that a state of uncertainty, embarrassing and unfair to the agriculturists, and injurious to commerce, should be put an end to, and measures of a settled and final character adopted without further delay."

Mr. *G. Bankes* gave notice that when

the motion came on, he would move an amendment to the hon. Member's motion.

CHURCH OF SCOTLAND.] Mr. *Campbell*, seeing the right hon. Baronet the Secretary of State for the Home Department in his place, begged to ask the question, of which he had given notice, respecting the Church of Scotland. Considering the extreme necessity of the case, and the anxiety felt on the subject, both within the House and out of it, he hoped that he should have as explicit an answer as possible. He wished to know whether her Majesty's Government intended to bring forward any measure regarding the Church of Scotland, and if so, whether the right hon. Baronet would submit the measure to the House in the course of the next week?

Sir *J. Graham* felt very much obliged to his hon. Friend for having given him such explicit notice of the terms of the question he meant to put, and it was his earnest desire to give as explicit an answer to his hon. Friend as his sense of duty permitted. Since this question was last brought under the notice of the House, a most important decision had been pronounced by the Court of Session affecting the Church of Scotland, relative to the power of that church to subdivide parishes without the intervention of the civil power. That decision had been carried to the House of Lords, before which the question was now pending, and if affirmed by the Lords, it would interfere with the right claimed by the church to erect parishes *quoad sacra*. In such circumstances, it would not be becoming to contemplate the various contingencies which might arise, but there was a contingency which he thought he might contemplate—that that judgment might be affirmed. Without presuming in the slightest degree to question that judgment, it was alleged that the execution of it would operate as a serious impediment to the means which the Church of Scotland possessed for extending itself to meet the growing wants of the people of Scotland, and also as an obstruction to Presbyterian spiritual discipline. If it should be found that judgment should be affirmed, and her Majesty's Government should think that such was likely to be the effect of the judgment so affirmed, Government would not be indisposed to propose to Parliament legislation on the subject. Another branch of this subject which had been before under the notice of the House, was, what was called the question of non-intrusion. Since this subject was last mentioned in Parliament, the deliberate opinion of her Majesty's Government had been placed on record in a letter addressed by himself, on the part of the Government, to the moderator of the General Assembly. To the principles and opinions contained in that letter her Majesty's Government strictly adhered. Beyond the limits of those principles and those opinions, it was impossible for her Majesty's Government to propose any legislative measure; but his hon. Friend asked whether, in the course of next week, it was the intention of Ministers to bring forward any measure on the subject. He conceived that his hon. Friend distinctly limited his question to the motion about to be made by the right hon. Member for Perth, who proposed to refer the petition of the General Assembly, and their claim of right, to a committee of the whole House. The debate which would then arise would afford to her Majesty's Ministers the best opportunity of stating to the House the opinions they entertained on this most important question, respecting the limits of the civil and ecclesiastical authority in Scotland. For that opportunity he should reserve anything he might have to say on the subject, but he would state most explicitly that it was not his intention to ask leave of the House to bring in any measure on the subject.

THE TRUCK SYSTEM.] Mr. *Wallace* seeing the noble Lord the Member for Dorsetshire in his place, wished to ask the noble Lord if it was his intention, either in co-operation with the Government, or on his own responsibility, to bring before the House during the present Session any measure for correcting the abuses of the truck system, into which a committee had inquired last year?

Lord *Ashley* said, he had not communicated on this subject with the Government. He thought it extremely desirable that Government should take the subject into their own hands, and if, through pressure of business or from any other cause, they should not do so, he would make an humble endeavour to propose some measure to the House which he thought would give efficiency and vigour to the existing law.

PAROCHIAL ASSESSMENTS—TITHES.] Sir *R. Inglis* said, he had received so many communications on the subject of the operation of the act regulating parochial assessments, that he wished to know if the subject had occupied the attention of her Majesty's Government, and whether his right hon. Friend at the head of the Home Department were prepared to state, on the part of the Government, what was its intention with reference to an alteration in the parochial assessments, in relation to the commutation of tithes?

Sir *James Graham* said, he had already stated to the House, on the part of her Majesty's Government, that in the course of the present Session it was intended to propose an amendment of the Poor-law, and he hoped also to be able to bring forward some bill respecting the law of settlement. He thought both those measures ought to precede any legislative enactment regarding rating. That subject had been brought by his direction especially under the notice of the Poor-law Commissioners. His hon. Friend was aware that, at present a variety of valuations took place, which made the rates different in different localities. The whole question of rating and valuation had been considered by the Poor-law Commissioners; their report was far advanced, though not yet ready for presentation, and he hoped, in the course of the present Session, to lay it on the Table. It was a very important, but an intricate and difficult question, and affected so many interests, that he thought it but right the report should be considered by the community for some time previous to any legislation on the subject. It was, therefore, not his intention to propose any new legislative measure, but he should move the renewal, for one year more of the temporary act which had been passed, and was now in force.

THE NEW POOR-LAW.] Mr. *Walter* then rose, and spoke to the following effect. I could have wished that it had fallen to the lot of some able or more eminent Member to have brought forward the present subject, for if the abilities of him who brings it forward are to be weighed or measured by the vast consequences involved, I fear that I shall be found greatly deficient. If, indeed, I might have had my wish indulged, I should have desired that her Majesty's Ministers themselves would have taken a more humane and constitutional view of the question, for sincerely do I wish them to pursue such measures as will secure them the love of the people—I mean of the people taken in the mass; and there is no one method by which they can so essentially endear themselves to the vast body of the country at large as by demolishing, what I am sorry to say has been partially, and at second hand, their work, —namely, the New Poor-law. I am too old to court much popularity myself, and readily would I transfer whatever I may have attained to those whose general course of policy I think most calculated to appease the dissatisfaction, and restore the prosperity of this country. I will ask them this question briefly—has there been any satisfaction, any good temper, any adherence of the humbler classes to their employers since this most unfeeling law has been invented? Has there been anything, in fact, in the country but brooding discontent, ever ready to break out into open violence, or to avenge itself by secret mischief? I say none. Here we are in the ninth year since the first movement against the old Poor-law of the country, originating with one of the greatest sovereigns—a female, too—that the land ever knew; the very object of whose noble policy it was to sustain the great masses of the people against hereditary oppression, and aristocratic pride — "*parcere subjectis, et debellare superbos;*" and who, by trusting herself and her throne to the support of the people—not to family influences, or herds of retainers—set the whole world at defiance. That principle of hers, the new law does not reform, does not restore, does not reinvigorate, but reverses. It protects, or affects to protect, the great landed interests first, and next the manufacturing interests, by the oppression, by the very destruction of those upon whom those elevated interests rests, and by that attempt to destroy the very basis of all human society, I can tell you that those more elevated interests must ultimately sink. Every other foundation but that of the people is a sandy one. The winds of disaffection will blow—the tempest of popular fury will begin to rage —and down will come your structure to the ground. I have called this New Poor-law an invention, and such literally it is. It is the usual effort of legislation, when, through the lapse of time, old laws begin to fail of their application, to improve and adapt them anew—to cut off excrescences, and invigorate the impaired parts—to restore, to reform, but not to convulse or destroy. But what has been the course pursued in this most ominous affair? A new invention, new to history as to the people, was struck out. Principles and details, men and machinery, were alike displaced. That class of men who acts as parochial officers of your parishes, and as jurors in your courts of law, are cast aside. A term of but modern invention is adopted, or rather filched from a more respectable institution, that of "guardians." But what are "guardians" intended to be under this new act? Mr. Sheridan has defined the office of a similar protector, appointed, as he said, to exert over the unhappy Peruvians "such guardianship as the eagle affords the lamb, covering while it devours its prey." Such, I have ever said, is the character of this New Poor-law, and I have subsequently become possessed of a document which justified us in asserting that such is the actual object of those who brought it forward. I will now read to the House a passage from that report:—

> "That at any time after the passing of this act, the Board of Control shall have power, by an order, with such exception as shall be thought necessary, to disallow the continuance of relief to the indigent, the aged, and the impotent, in any other mode than in a workhouse, regulated in such manner as by the aforesaid Board of Control shall be determined.
>
> "The power of the commissioners would be to reduce allowances, but not to enlarge them.
>
> "After this has been accomplished, orders may be sent forth, directing that after such a day, all out-door relief should be given partly in kind; after another period it should be wholly in kind; that after such another period it should be gradually diminished in quantity, until that mode of relief was extinguished. From the first, the relief should be altered in quality, coarse brown bread being substituted for fine white; and, concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the in-door poor, and strict regulations enforced."
>
> "Hoc fonte derivata clades,
> "In patriam populumque fluxit."

I have quoted the words of the earliest report placed in the hands of the late Ministers, and which the right hon. Gentleman has termed "confidential," the authors being afraid, as I verily believe them to be, of sending it forth to general cognizance with their names attached. That confidential communication was followed by a report which was laid before the House, in which there is this passage:—

> "As one barrier to the increase of expenditure in the detailed management, the commissioners should be empowered to fix a maximum of the consumption per head within the workhouse, leaving to the local officers the liberty of reducing it below the maximum, if they could safely do so. Do it safely?"

Now that, I think, horrible enough; but yet not so offensively glaring as the confidential communication itself. From that dark and mysterious source sprang the first avowed report of the central board of Poor-law Commissioners, not of that existing body sometimes called the Triumvirate, but of the eight Commissioners—the Bishops of London and Chester, Mr. Sturges Bourne, Mr. Senior, and four other persons of less note or activity—who were previously set to work to concoct some fresh plan for the management of the poor. In that confidential report, besides the cruel ones which I have mentioned, there was a number of most tyrannical and unconstitutional recommendations, from which, in fact, the future Commissioners—the Triumvirate—took their cue. In these abominable suggestions, directions, and recommendations, therefore the country has the very foundation of the bill itself. Such were its origin and its objects—to inflict progressively, from bad to worse, a system of suffering upon our poorer fellow-creatures, which really out-Herods all the discoveries that have been made respecting the treatment of the negro race, in their first kidnapping and subsequent transmission to the West Indies in the floating union-houses, the slave-traders. Great stress was laid on the fabrication of the Central Commission, upon the asserted fact that it comprised men of all parties, who were perfectly unprejudiced. I could have wished that they had had some natural prejudices arising from humane considerations; but I believe that there was not a member of that commission whose mind was not made up, before a single witness was examined, to recommend or introduce something of a most severe and oppressive character. Mr. Bowen, of Bridgewater, has pronounced this law a Bill of Indictment against all the poor of the country. The Commissioners say in their first report,

> "The duty of supporting parents and chil-

dren in old age and infirmity is so strongly enforced by our natural feelings, that it is often well performed even among savages, and almost always so in a nation deserving the name of civilized. We believe that England is the only European country in which it is neglected . . . . . . If the deficiencies of parental and filial affection are to be supplied by the parish, and the natural motives to the exercise of those virtues are thus to be withdrawn, it may be proper to endeavour to replace them, however imperfectly, by artificial stimulants, and to make fines, distress-warrants, or imprisonment, act as substitutes for gratitude or love."

While the lower classes of people are thus libelled, does no recollection occur to those who libel them of a great example once afforded by both Houses of Parliament, who thought it necessary to stimulate the natural affections here spoken of, not by pains and penalties, but by the large allowance of 10,000*l.* a-year for the trouble of visiting an afflicted father once a week? Now, contrast this character of the people so blackly drawn by the commissioners with other descriptions of the same people, and upon this subject I have particular pleasure in quoting a passage from a letter of the Earl of Ripon to one of our colonial governors:—

> " The name of pauper (said that noble Lord) by no means implies, as seems to have been supposed, a man unable or unwilling to work—one whose infirmity or whose idleness would disqualify him from becoming an useful settler. On the contrary, the whole of the married labourers in many of the parishes of the south of England may be correctly described as paupers, inasmuch as the want of employment has depressed wages to a rate at which it is impossible for a man, however industrious, to maintain a family without receiving parochial relief. . . . It has been found that the idle and worthless paupers have frequently been rendered so by the hopelessness of their situation; and when enabled to find constant employment, at fair wages, a great change has almost invariably taken place in their conduct."

Contrast this too, with the picture drawn not so long since by the Member for Sheffield from his own experience of the English poor. That hon. Member told the House, that

> " One-third of the working men in that town and neighbourhood were out of employ. A great proportion of the remainder were employed only three days in the week, and in consequence the greatest distress prevailed. Those at work subscribed something from their wretched pittance to relieve the distress and keep off the parish others who had no work at all."

Could the hon. Member, if he had ransacked every storehouse of eloquence, have found words better calculated to damage the New Poor Law in the estimation of every man of common humanity than the plain sentence which I have just read to you. Men steeped in poverty and misery to the very lips are yet so impressed with the horrors of imprisonment in the workhouse, that rather than their starving brethren should undergo them, they make their little pittance less, by subscribing to keep them off the parish. But it is not for this purpose that I adduce this passage. I wish now to ask, have these men earned the character which the Commissioners have attempted to affix upon them? Do they deserve to be legislated against in the manner the present Bill legislates against them? And still more, ought they to be subjected to that ever-increasing scale of cruelty prescribed and laid down by the private report of the eight Commissioners—that private report from which the present Bill, with its triumvirate at Somerset-house, originated? How the principle of successive reports have been carried out I have plenty of instances to lay before the House. Take this, for example, from Cirencester:—The late Member for that borough said, in his place in that House, that

> " He was chairman of a board of guardians. Both in his own district and in others with which he was acquainted the measure had acquired an immense popularity. He thought the country was under the greatest obligation to those who had brought it forward. The bill worked well in the district with which he was connected. He hoped there would be no vital alteration of a measure which had worked to the entire satisfaction of the vast majority of the people. As to diet, the complaint was that the inmates of the workhouse lived too well."

I hold in my hand the dietary of the Cirencester Union, prescribed by the Poor-law Commissioners, in which there is not one ounce of fresh animal food from year's end to year's end, but only five ounces of salt bacon for the Sunday of each week; and that dietary, be it observed, the guardians cannot go beyond, though they are to be indulged with the odious power of reducing it, " if they can safely do so." I could add many tales of similar cruelty on the part of boards of guardians. Most persons know the difficulty of dealing with bodies of men. A body corporate, in fact, has no soul. The individuals may have their separate feelings, but the whole body has none such. A man may be personally humane and charitable, but when acting with others, this Christian feeling evaporates and vanishes. I will mention one case which occurred not very long ago in my own immediate neighbourhood. I am not a frequenter of boards of guardians, having no great respect for the institution itself. I was, however, particularly requested to attend a meeting, for the purpose of endeavouring to obtain out-door relief for an unhappy and afflicted object, with a wife and five children, who was ordered into the workhouse, but after a night's trial of his abode there, went out next morning. I was desired to urge this man's title to out-door relief before the board. The alleged ground of their refusal was that his wife had practised some imposition upon a benevolent lady, and therefore the husband and whole family were to be punished. With some difficulty the husband was admitted to the board's presence, and I then ascertained by the acknowledgment of both the medical officers, that he laboured under an incurable pulmonary complaint. He produced a good character from a highly respectable master. On questioning him, a doubt arose in my mind whether the man's wife had really been guilty of the alleged impropriety, and to afford time for inquiry, a week's out-door allowance was accorded to him, and the Board were to meet again in the week following. I received a most complete and satisfactory answer from the lady whom the woman was supposed to have defrauded, assuring me that no such circumstance had taken place; and, fortified with this denial, I went to the next board meeting, in full confidence that the guardian of the parish who had brough forward the false charge would at least aid his efforts to relieve this family from the dreaded infliction of the workhouse. That guardian was, if possible, more callous than the rest. The first order must be maintained, because they had made it. Into the workhouse were the family again ordered; though ultimately, after some weeks' delay, out-door relief was afforded. It was in vain to urge to these guardians that even if the poor man had been guilty of the offence of having an indiscreet wife, he was not to blame, and that if he went into the workhouse, there he would certainly die: if they had no consideration for the poor man himself, why should the inmates of the workhouse have their feelings harrowed up by the transportation of a dying man into the midst of them? But all my representations were in vain; the cry was, that having once given their order it should not be rescinded. The man lived only a few months afterwards, and died in his own habitation, the guardian himself being called to his account first. Is it to be borne that against such treatment as that the poor man should have no court of appeal, save only that of the triumvirate of Somerset-house, in which the harshest principles of the whole system are represented and concentrated? It would be endless to repeat all the cases—well-authenticated cases too—of unnatural severity inflicted by the operation of this law. I do not know a single crime that has not been multiplied through that operation, or a single suffering which humanity is heir to that has not been aggravated and multiplied also through this law. Further than this assertion, which I can substantiate by the most irrefragable evidence, I will not at present trouble the House, but pass to another practical difficulty which, enact the law as unanimously as you please, you will never be able to overcome. How long will you get guardians to perform such laborious duties, and at a distance from their own homes of perhaps fifteen or twenty miles? Indeed, at this moment, I know a parish in which the parishioners are obliged to club a sum of money to pay the guardian they depute only five miles distant. The office is there held to be anything but honourable or respectable. Lords and country gentlemen may andeavour to give it *éclat* at its beginning, but that zeal had much cooled as well it might; and these offices are left to be performed by those who can ill brook to throw away their time for nothing. He alluded, when this most unfortunate bill passed, to the manner in which you will be overwhelmed by reports, amendment-acts, acts explanatory, with every trash of that description. Why, no human powers of either body or mind can comprehend or carry all that has been written and printed at the expense of this deluded country in support of this detested measure by its prime agents. You are erecting a Nelson monument of vast altitude. You may almost erect a Poor-law monument of equal height, though of more corruptible materials, of the reports of these commissioners. You seek to destroy your enemies, not as Oliver Cromwell said, with paper bullets, but with paper bulwarks and artificial mountains. When I first attacked this monstrous law, I estimated that the paper defences would soon reach up to their table. At present they overtop the Chair. I have already got upon the English Poor-law upwards of 20,000 pages; and it is in vain to make an estimate of the Irish, since the first appendix to a report itself weighs nine pounds and a half. Considering their bulk, no two porters can carry them, the English Poor-law papers weighing upwards of twelve stone. The expense of printing them would support the poor of many parishes for I know not how many years. But there is one high authority against me to which I should not have ventured to allude, had it not been frequently cited against me, and that authority I hope that I shall treat with proper respect. When I hear the greatest hero of his age say, "I know something of Governors-general, and I know something of war and its difficulties also," that man who does not bow to such authority will be rash and indiscreet to the utmost extent of indiscretion and rashness; but I must humbly contend that his grace has not had that experience of the internal affairs of this country which other men of humbler general talents may and must have had; and that great man is not, therefore, such overpowering authority upon these subjects as upon those on which his capricious mind has been, I may almost say, exclusively employed. But there is one fatality always attending the errors of great men, if such they are—that they carry an overwhelming weight with them, which the mistakes of others are not liable to. Would, indeed, that their opinions were always enunciated with proportionate caution, and never as I contend in the present case, before the subject can have been fully examined and considered. We are informed in the Divine records of our religion, that "when a great man speaketh every man holdeth his tongue, and, look, what he sayeth, they extol it to the clouds; but if the poor man speak, they say what fellow is this?" But if I have met with opposition on the one hand, I have likewise met with encouragement on the other, and that from the most honourable and excellent class of men—the clergy of the Established Church—a class, also, the individuals of which, I will venture to assert, are generally speaking, quite as competent to deliver their opinions on the subject before the House as the immortal Duke is upon that of war; for they live with the poor, in the midst of them, much more even than he lived in the midst of his soldiers; they know their wants, moral and physical, and from that class of men I have received the most useful information, as well as the most strenuous support, though means were insiduously taken at first to prevent their interference by inserting the names of two prelates in the original central commission. I will not, however, trouble the House with many of their statements, but I must be allowed to read one from a gentleman inferior to none of his sacred order in piety and intelligence, and who is well known to many Members of this House.

"Knowing that you are about again to bring before the House of Commons the workhouse system as administered under the present Poor-law, I think it may not be without some use, if I state to you the result of my own observation of that system, not in all nor many of its bearings, but simply in its moral action upon those who come under it. To myself this is a painful though voluntary task; for it shows me the error of my own anticipations, and reminds me of the fault of once defending as right what I now regret as wrong and pernicious.

"Leaving, however, such personal considerations, let me briefly state to you the conviction to which I have come on the subject, and the reasons which have brought me to it. My conviction is, that whatever may be the maladies under which our social system is suffering in the labouring part of it, the present workhouse practice is not their remedy; it is rather, under the promise of present relief, an aggravation of the disease.

"I have seen the working of the system under, in many respects, favourable circumstances. I have marked its effects with all the clearness I could by personal observation in union houses, especially in one with which I have been nearly connected, and by personal inquiry among those who have been inmates of those houses; and the result of both observation and inquiry has been the same. It is a demoralizing system, tending to connect poverty with licentiousness, and to generate pauperism and crime. I only state to you what I know to be literally true, when I say that in union houses supposed to be administered as well as the system will permit, the work of demoralization has been going on in every ward except those of sickness and old age. Among the poor unhappy children, among the adults of either sex, among the able-bodied, this propagation of evil has gone on. To particularise and classify its forms would be a revolting task. It would comprehend the recital of some of the most disgusting practices of licentiousness and many acts of crime. Persons well known to me have avowed, that many as were the temptations to sin without these walls, those within were far more mischievous and dangerous. The danger arises from the constant infusion of fresh and varied incentives to vice, by those evil communications which, in the world at large, are kept in check, and weakened in power, by many causes. The day of entering those walls takes, even from the man of fair character, much of the honourable sense of shame which he had before; and the bad man enters them to disdain, and ridicule, and hate all moral influence—to teach mischief, to make the tongue and ear and mind familiar with those sins in the practice of which he has attained to the greatest proficiency.

"It would require some experience, or considerable imagination, to comprehend the extent of this mischief. It is a never-ceasing agent of evil, leaving its infection behind, when its actual presence is gone. A ward comparatively clear of it to-day may to-morrow, with a fresh incentive, break out into every abomination that can pollute the tongue, or corrupt the heart.

"Now, to omit, for the present, all other objections to this system—to say nothing about its trenching hard upon the feelings of humanity, or the laws of God—I would only ask two questions in regard to it. Can the Legislature be justified in inflicting on the poor a moral evil, that apart from such legislation, has no necessary connexion with poverty? We know that in the correction of crime this is done through necessity; but then it is crime, not poverty, that is to be dealt with. The prison will always be a school of moral evil, as well as a place of punishment; but there the inmate has brought the evil upon himself—he has forfeited the protection of the laws of his country, and this is a part of the recompense of evil which he has reaped. But what has a poor family done?—poor only because they are numerous, and their wages insufficient—what have they done, that, after having striven in vain to support themselves, and then come to claim that protection which the criminal has forfeited, they should be, in one respect, treated in the same manner with him?—that they should be placed where whatever moral sense they have must be blunted and destroyed, and where their children will hear the lessons, if not witness, the practice of profligacy?

"Another question I would ask. Is this the way to extirpate pauperism from the country? If it be, we must unlearn every maxim which connects prosperity, either on a large or narrow scale, with moral character.

"But it is not. Whatever were the calculations or intentions of the framers of this measure in other respects, they appear to me to have overlooked its moral effects altogether. Certain it is, that its practical effect is to undermine the moral character and well-being of the poor. Its action is all downwards. It has no tendency to raise the moral condition of the labouring classes; it has a direct tendency to degrade and deprave it; and if this be true, it stands marked with the worst stigma that can be placed upon any law—that of demoralizing those upon whom it acts."

But there is another argument with which I have been plied, in favour of this most painfully important measure. I am told that Gentlemen are pledged to it. Upon this point I can give a decided negative; no Gentleman I affirm is pledged to it. Gentlemen, may unhappily, at the first origin of this system of mischief, not seeing what its consequences might be, have been pledged to the introduction of it; but did any man, at the time of its introduction, daringly pledge himself to carry it through, however it might affect the people—however odious it might prove—however, in fact, it might subvert the whole order of society? All that I predicted, has been, and is being produced. Is any man pledged, then, or can any man now plead that he is pledged, to persevere in the infliction of such evils on the country? To whom is he, to whom can he be so bound? To his country—to the poor—to his conscience? Or to his party—his friends—his political leaders? Nay, more unworthy still, does he mean, that having given his vote once for this monstrous evil, he is bound in consistency, bound in care for his own reputation, to persevere in the fatal course he has begun? Whatever the case, I bid that man pause. I bid him retrace his steps. Let him not speak of pledges given, or supposed to have been given, when he was totally unable to look into futurity. If any man has unhappily so involved himself, I own his difficulty, but do not doubt his duty. Facts—the facts of the last nine years—have cancelled his obligation. His vote is not his own, but his country's; and his only honourable retreat is in owning his mistake, and amending it. I therefore conjure the Conservatives of the House to step forward to the conservation of England. Great apprehensions have been expressed in this House and elsewhere of a certain league, to the practices of whose leaders I am as much opposed as any man. But ask yourselves how this league, now so menacing, first sprang up. I will tell you: it was suggested by a preceding league against the poor of this country, whose diet was to be reduced in quantity and corrupted in quality. What a burst of indignation would have been excited in this House as well as throughout the country, if any resolution against the negro population, of a character similar to this against our fellow-subjects here at home, had been produced—that those blacks were first to have their daily food debased, and after that diminished. Gentlemen have been benevolent enough abroad; I call upon them to look around them at home. If, as you have been told, you have elevated the condition of the negro slave to such a state of prosperity that he can now drive his gig and drink his Champagne, surely I am not asking too much when I call upon you to elevate the condition of the free white labourer and artisan of England, whom this law crushes to the earth—at least to afford him such subsistence as will preserve him from sinking under a gradual prostration of strength. If you can not give him his cottage and piece of land which the negroes have obtained, at least insist not on his selling everything that his hovel possesses in order to qualify him for being a tenant in your vast gaols—the union workhouses. If you cannot give him Champagne you can give him the cheap, the wholesome, the nutritious, the national beverage of our land—beer. It is not, perhaps, too late yet to retrace your steps. I feel strongly convinced also, that not only this, but all the other great subjects of contention, which keep the country in a ferment, may be composed and beneficially arranged, if gentlemen will in good earnest turn their thoughts to those subjects, rather than employ their whole time in struggles for political ascendancy. If it be said that such an object is desirable, but that it is impossible to attain it. I will at once reply that I acknowledge no such impossibility with respect to objects that are rational. I recollect a happy maxim of Mr. Burke upon that subject: "I know," said he, "it is common for men to say, that such and such things are perfectly right, very desirable—but that unfortunately, they are not practicable. Oh! no, Sir, no. Those things which are not practicable are not desirable. There is nothing in the world really beneficial that does not lie within the reach of an informed understanding and a well-directed pursuit. There is nothing that God has judged good for us that he has not given us the means to accomplish, both in the natural and moral world." I will not longer detain the House than by moving the following resolutions:—

"1. That in a document entitled 'Measures submitted by the Poor-law Commissioners to his Majesty's Ministers' appear the following passages:—

"That at any time after the passing of this act, the Board of Control shall have power, by an order, with such exception as shall be thought necessary, to disallow the continuance of relief to the indigent, the aged, and the impotent, in any other mode than in a workhouse, regulated in such manner as by the aforesaid Board of Control shall be determined.

"The power of the Commissioners would be to reduce allowances, but not to enlarge them.

"After this has been accomplished, orders may be sent forth directing that after such a day all out-door relief should be given partly in kind; after another period it should be wholly in kind; that after such another period it should be gradually diminished in quantity, until that mode of relief was extinguished. From the first the relief should be altered in quality, coarse brown bread being substituted for fine white; and, concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the in-door poor, and strict regulations enforced.

"2. That these recommendations, applicable alike to every class of the poor, and enjoining an indiscriminate reduction of their physical comforts to the lowest endurable point, are shown, by the subsequent orders and practice of the Poor-law Commissioners, to form the real though unavowed basis of the present system of Poor-law relief.

"3. That the suffering already caused by their partial enforcement, and the amount of out-door relief in spite of them still administered, show their provisions to have been at once cruel and impracticable.

"4. That the attempted substitution of punishment for legal relief has more and more tended to irritate and dishearten the poor, to check industry, to increase crime, and to encourage various kinds of tyranny, without even the proposed compensation of reducing the expenses of the rate-payers.

"5. That this House think it therefore expedient to demand such a reconstruction of the existing system as shall make it conformable to Christianity, sound policy, and the ancient constitution of this realm."

Mr. *Ferrand* seconded the motion, and the resolutions having been put from the chair,

Sir *J. Graham* rose, but gave way to

Mr. *Walter*, who again rose, and said,

I beg leave to supply an omission. An hon. Friend has just asked me from whom I received the letter which I have just read. I would readily mention his name, for I know that he dreads no menaces, though threats were at one time held out of removing clergymen from the commission of the peace who dared to proclaim the mischief and suffering produced by the New Poor-law. But that gentleman wrote to me further:—

> "I would entreat that I should not be personally mentioned; it would do others no good, but bring on myself some evil. A small provincial controversy with some guardian standing up for the honour of his union would be sadly inconvenient to me."

Sir *James Graham* I anticipated that the omission which the hon. Gentleman was about to supply would relate to the manner in which he came into possession of the document upon which his resolutions are founded, and not to the letter which he read in the course of his speech. I am about to address a body of Gentlemen; and the hon. Member who has just sitten down has made an admission that I think will startle them. The hon. Gentleman has put into the first resolution, upon which he is about to take the sense of the House, a statement from a document which he himself declared to be confidential. I did hope that the hon. Gentleman was about to explain the circumstances under which he was induced to make this public use of a confidential communication; but although the hon. Gentleman rose to supply an omission in his speech, nothing could be less satisfactory than what fell from him. Upon a former occasion, the hon. Gentleman asked me whether I recollected this document. I told the hon. Gentleman that I had only an imperfect recollection of it; but that I certainly did think that some such document was in existence. "I have refreshed my memory," that, I think, is the form of expression in use with the right hon. Gentleman, and I will now tell the House and the hon. Gentleman, without reserve, what I believe to be the circumstances connected with that document. The House is aware that in 1832 (I believe I am correct in the year), Lord Grey's Government appointed a commission to inquire into the condition of the labouring poor in this country, with the view of introducing a measure to amend the law for their maintenance and relief. The hon. Gentleman has mentioned to the House the names of some of the most eminent individuals who were upon that commission; and I need only recal to the attention of the House the names of the bishops of London and of Chester, Mr. Senior, and Mr. Sturges Bourne, to warrant me in saying that, in a commission so constituted, there was a perfect guarantee for the feeling of humanity and benevolence with which the subject referred to them would be investigated. The hon. Gentleman says, that a particular document, of a confidential nature, emanating from that commission, was submitted to Lord Grey's Government. [Mr. *Walter:* I did not say so. You said it was confidential.] I am in the recollection of the House, whether the hon. Gentleman has not this night used the expression "a confidential communication, made to Lord Grey's Government, which has come into my possession." Those, I believe, are the very words which the hon. Gentleman used; and when the hon. Gentleman rose a second time, I certainly thought that he was about to tell the House the circumstances under which this confidential communication came into his possession. I will tell the House that which the hon. Gentleman has omitted to tell it—the precise circumstances under which the document in question came into the hon. Gentleman's hands. I was remarking, when the hon. Gentleman interrupted me, that the hon. Gentleman had himself stated that the communication upon which he rested his motion was confidential. But whether the hon. Gentleman said so or not, the fact is, that the communication was of a most private and confidential nature. I will tell the House the precise nature of it. The commission to which I have already referred, having prosecuted its inquiries, made a report, which is before the House and the public; and the hon. Gentleman has this night read extracts from it. After that report was presented, for the purpose of bringing the subject in a more tangible form under the consideration of Lord Grey's Government, certain "heads" were prepared, to which their attention might be at once directed. Now the hon. Gentleman, in the preamble to his resolutions, gives a recommendation from a document purporting to be "measures submitted by the Poor-law Commissioners to her Majesty's Ministers." The hon. Gentleman says that this document is not signed. It is most true. The document in question is not signed by the Commissioners. Nay, my belief is that, although it purports to be "measures submitted by the Poor-law Commissioners," it was, in fact, nothing more than a document prepared by a person who was employed by the Commissioners for the technical purpose of drawing up the heads of the report. I believe that, in fact, the document had never been shown to the Commissioners—that it was not known to the Commissioners; but that it was a paper prepared by the gentleman whom they employed, merely for the purpose of bringing the report in a digested form under the consideration of the Government. I am told—and the hon. Gentleman can either deny my assertion or correct me if I am inaccurate—I am told that of this document there were printed not more than twenty copies. There were fourteen members of Lord Grey's Government, and fourteen of the printed copies of the document were presented to the Members of that Cabinet. I am sorry that indisposition prevents the noble Lord the Member for the city of London from being in his place upon this occasion, because, as the noble Lord was one of the Members of the Cabinet, he would have been able to explain the circumstances under which the document was prepared and presented to Lord Grey's Cabinet, or to correct me if I am inaccurate in any part of my statement. I am led to believe that one of these printed copies was communicated, in the strictest confidence, to a gentleman not now living, but who during his life was in immediate connection with the hon. Member for Nottingham. It was communicated in the strictest confidence—it was marked private and confidential—and from that time to this it has slumbered. The hon. Gentleman, feeling the obligation of honour and confidence strong upon him, never produced it while his friend lived. Now, however, for what purpose I know not, the hon. Member has produced it, and founded a string of resolutions upon it. The hon. Gentleman, of course, must be the best judge of the propriety of the course he is pursuing. But I must be allowed to ask, in the first place, whether that course is not most unusual? And, in the next place, I would ask, upon what ground it was that the hon. Gentleman asserted that this document was the foundation of the measure introduced by Lord Grey's Government for the consideration of Parliament. I tell the hon. Gentleman distinctly—I tell the House distinctly—and there is no breach of confidence in this, since I am compelled to use the information I possess for the public service in consequence of the course which the hon. Gentleman has pursued, and pursued, as I contend, in defiance of the most solemn obligations; but private confidence having been violated, I think it for the public good to declare distinctly that these "heads of measures" were submitted in detail to the consideration of Lord Grey's Government, and that, so far from their being made the groundwork of the measure which they, upon their responsibility, introduced to the attention of Parliament, the specific propositions to which the hon. Gentleman has referred, and some analogous propositions—one going still farther—namely, that upon a given day all outdoor relief throughout England should cease—propositions of that description were submitted to Lord Grey's Cabinet, and one and all of them were rejected; and not only was the measure which was introduced not founded upon the principles set forth in these "heads of measures," but it was founded upon other and different principles, after a full and deliberate consideration of the propositions contained in this document. Under ordinary circumstances, what I have now stated would be considered somewhat improper; but I see one of the Members of Lord Grey's Government on the opposite Bench, and I hope that, in the estimation of that right hon. Gentleman, I shall be vindicated, if, under the peculiar circumstances of the case, I have been led to divulge what I know to be the strict and accurate truth with regard to the very point which the hon. Gentleman has raised. In the most direct terms that the forms of the House will allow I meet with a negative the assertion of the hon Gentleman, that the Poor-law Bill introduced by Lord Grey's Government was grounded upon these propositions; and I state further, that although these propositions were submitted to the consideration of Lord Grey's Government, they were rejected by that Government, and the measure was founded upon other principles. It is very unfortunate that the House had not the advantage of the hon. Gentleman's presence in the last Session, when the Poor-law in all its principles, and all its details, was fully and largely discussed. [Captain *Pechell*: Not largely discussed.] I certainly thought that every thing connected with the subject, except, perhaps, the Gilbert Unions, had been debated even to the satisfaction of the gallant Officer. The hon. Gentleman, the Member for Nottingham, appears to imagine that the House is pledged to the Poor-laws, and is not at liberty to recede from recorded declarations. I do not at all rely upon those pledges. I am ready to rest the defence of this measure, not upon opinions which may have been pronounced by Members of this House upon their particular knowledge and experience of the balance of good and evil in the working of the measure, but upon the general practical results produced by its wholesome and beneficial operation. The hon. Gentleman says that no human mind could comprehend all that has been written in defence of this law. I say that it is very difficult to comprehend the extreme bitterness of all that has been written in opposition to this law. The hon. Gentleman has upon the present occasion, ventured to comment with some severity upon the character of the Duke of Wellington. [Mr. *Walter*: "No, no."] The hon. Gentleman says "No, no." I thought I distinctly heard the hon. Member say that the Duke of Wellington might be a very good judge of military matters, but that, with regard to civil matters, of this description, his great experience and his opinion were not entitled to much respect. But, as the hon. Gentleman himself said, these paper pellets pass harmless over the head of the noble Duke. Nothing that the hon. Gentleman can say or cause to be written will have the slightest effect in shaking the confidence of the people of this country in the extent and soundness of that knowledge, which is no less conspicuous in civil than in military affairs; and I am confident that the opinion of the Duke of Wellington, founded upon a practical experience of the working of this law in his own neighbourhood, where he attends not only to the wants of the poor for the purpose of relieving them, but to the operation of this law, of which he is a careful watcher—I am confident that the opinion of such a man as the noble Duke, freely and frankly given—not minding the obloquy or odium which some parties may attempt to fasten upon him for so expressing himself—will be received with respect by every Member of this House. The hon. Gentleman talked of elevating the character of the free white labourer of this country. I say that one of the grand objects of the Poor-law Bill was to elevate the character of the labouring classes in this country. I wish the character and condition of the labourers in the agricultural districts, say Bedfordshire for instance, to be contrasted with what their character and condition were at the time that the Poor-law Bill passed. I wish that comparison to be instituted. I wish every Gentleman who was cognizant of the position of these labouring men at the time that the new law passed—when every labourer in the southern district was in the degraded position of a pauper, receiving a portion of his wages out of the poor-rate—to contrast that state of degradation with the manly bearing and altered character of the same men at the present moment. I do not wish this measure to be tried by any fresh test. I assert that I am prepared to risk the measure upon this single issue: in the agricultural districts of the south of England, has the condition of the labourers been elevated or degraded since the passing of this measure? I am quite satisfied that, upon that issue the maintenance of the measure may be safely rested. As is usual, whenever this measure is assailed, the hon. Gentleman has put it upon his resolutions, that the universal practice of those who administer the Poor-laws is a denial of out-door relief, and an administration of relief within the walls of the workhouses upon a system of prison discipline. I last year stated to the House how untrue such representations were. I repeat that statement now. I do not wish to trouble the House with statistical details; but I will just mention the number of paupers who have been relieved throughout England and Wales in the last three years, namely, the years 1840, 1841, and 1842, and the amount in money to which that relief has extended. It appears from a paper which I hold in my hand, that in the year 1840, there were relieved from the poors-rate throughout England and Wales 1,195,000 persons. Of that number, there were relieved within the walls of the workhouses 165,000 persons; and out-door relief was afforded to 1,030,000 persons. The gross expenditure for the relief of these persons was 3,739,000*l.*, of which there was expended for the relief of paupers within the walls, 808,000*l.*, whilst no less than 2,931,000*l.*, was given for out-door relief. In 1841, there were relieved throughout England and Wales 1,299,000 persons, of whom 192,000 received relief within the walls, and 1,160,000 relief out of doors. In the last year, 1842, there were relieved 1,429,000 persons, of whom 221,000 were relieved within the walls, whilst no less than 1,207,000 were relieved out of doors. This is demonstrative. This is proof positive as to the manner in which the law has been administered. I assert that the general rule, as relates to the aged and infirm, is to relieve them at their own homes. I have before me at this moment a return for the Christmas quarter of the year 1842, from the principal unions in the agricultural counties of Berkshire, Buckinghamshire, Hertfordshire, Kent, and Middlesex; from which it will appear that in that quarter, the aggregate number of persons who received relief within the walls of the workhouses of those unions was, 8,349 whilst the number who received out of door relief was 39,894; showing that the proportion of those relieved in the workhouses, as compared with those who received relief out of the workhouses, was only as one to five. But the hon. Gentleman in his last resolution, contends that the Poor-law as it now stands, is not conformable to Christianity, not sound in policy, and at variance with the ancient constitution of this realm. Now I contend for the converse of all those propositions. I contend that the law, as it now stands, is strictly in conformity with the ancient constitution of these realms—strictly in conformity with the law of Elizabeth, which said that the able-bodied poor should be set to work. I contend further, that the basis of the present law is the 9th of George 1st, which finding that out-of-door relief was administered to able-bodied persons at their own houses, and that great abuse was the consequence, declared that workhouses should be provided, and that the relief given to the poor should be administered within the walls of those houses. I say that, practically, to the sick, the aged, and the infirm, relief is now given in an immense proportion—in the proportion of five out of six out of doors. I contend, that even with respect to the able-bodied, relief in the workhouses is the exception, and not the rule. In-door relief is the test applied to see whether the wants of the applicant are really great, and whether the complaint of want of work and employment is not merely a pretence. It is resorted to as a mode of ascertaining the truth as to the real condition of the party applying for relief. But when the truth is once ascertained, the general rule is to administer the relief out of the workhouse. I contend that the Poor-law is sound in policy. I have already pointed out to the House the effect that this law had had in elevating the character of the labourers in the agricultural districts, making them no longer dependent on the will of the overseer for a dole out of the poor-rate in aid of their insufficient wages. I say that under the operation of this law the independence of the labourer has been asserted—that his character has been elevated—that the manliness of his bearing has been restored, that he is no longer degraded by parish work, which taxed his labour and his strength to spread gravel or to break stones; to dig pits which were not wanted, and soon as digged to fill them up again; to carry needless weights and burthens; in short to do all sorts of useless unnecessary and degrading work. I maintain the whole policy of the Poor-law has been improved by the alterations effected by the measure which passed in 1834; and if its Christianity be looked at, I say that the great precepts of Christianity—namely, to clothe the naked, to feed the hungry, to visit the sick—are practically carried into effect under the operation of this measure. I say that the Poor-law of England from the truly Christian principles upon which it is founded, may justly be regarded as the boast of the country. In no Christian community in the civilized world is there a law which provides so humanely, so charitably, so largely, for the sick, the needy and the destitute, in their hours of affliction and suffering. In the very last year—a year of great distress — independent of all other extraneous claims upon the poor-rates, there was administered in the form of direct relief to the destitute poor, no less a sum than 4,249,000*l.* This vast sum was raised under the poor-laws, and distributed in the course of the last twelve months. The magnitude of the sum will, perhaps, be more clearly perceived, when I state that it amounts to no less than 5*s.* per head, raised by way of compulsory assessment, upon the whole population of the kingdom, and that when compared with the number relieved, it is equal to a grant of 3*l.* a head to 1,400,000 paupers within the year. This too, it must be remembered, has been applied to the relief of the poor, in addition to all the aid afforded by infirmaries, hospitals, friendly societies, and many other institutions maintained by public charity. In addition to all that public and private charity did to alleviate the condition of the sick and destitute, the magnificent sum of 4,249,000*l.* was given for the relief of the poor and distressed from the funds derived from parochial assessments. I maintain, therefore, that the existing Poor-law, whether tried by its policy, its Christian principle, its practical working, or by whatever test the House may please to adopt, except the popularity hunting of the hon. Member for Nottingham—let it be tried by any fair test, and I will undertake to say that it will stand the ordeal. I have maintained it before successfully, and I do not flinch from the maintenance of it now. With respect to the first of the resolutions now before the House, I have denied the authenticity of the document for the purpose for which the hon. Gentleman seeks to use it. I deny that that document has formed the ground-work of the present law. I do not deny the existence of the document, but I repeat that, having been under the consideration of the authors of the present law, the document was rejected, and the measure framed upon another and a different principle. Under these circumstances I am sure the House will feel that I am justified in moving the previous question with respect to the first resolution, and in declaring that it is my intention to meet the others by a direct negative.

Mr. *Walter* hoped, that the House would allow him to say one word in the way of explanation. The right hon. Baronet had given an account of how the document upon which his resolutions were founded had come into his possession. Now he (Mr. Walter) really did not know how he got it. He did not see it, to the best of his knowledge and belief, till two days before Parliament met. It had, he supposed, been laid by with other documents; but he declared that he never saw it before the time he had just mentioned.

Mr. *Wakley* remarked, that the manner in which the right hon. Baronet, towards the close of his address, had asked the House to try the measure by any fair test, and in which the right hon. Baronet had afterwards made a distinct reference to the motives of the hon. Member for Nottingham, was, as he thought, that the right hon. Baronet's experience would have told him, in the strictest sense, unparliamentary. He did not know anything more unparliamentary than for one hon. Member to attribute motives to another for any course that he might feel it his duty to adopt. And of all men in the House the right hon. Baronet was the last who ought to have made such a reference, because he had had ample experience during the sittings of a committee of that House in two Sessions of Parliament of the conduct of the hon. Member for Nottingham, when he was unobserved by the public, when no human being beyond the members of the committee could know what was passing before them, and when no portion of the public out of door could be aware of the part which that hon. Gentleman was taking. During that time, the right hon. Baronet must know with what zeal, what unremitting assiduity, what personal sacrifice, and at what a large expenditure the hon. Member for Nottingham prosecuted his exertions for the purpose of effecting an alteration of this most odious law. He said, therefore, that the right hon. Baronet ought not, in justice to the hon. Member for Nottingham, to have made such a reference to his motives, and he was sure that the right hon. Baronet upon reflection, would see the impropriety of having made it. The right hon. Baronet had opened his address to the House by giving a most clear, lucid, and distinct account of the manner in which a certain document supposed to be connected with the construction of the New Poor-law had been laid before Lord Grey's Government. He thought, that it was only a few days since that the right hon. Baronet declared that he had only a most indistinct recollection of any such document. He thought it was only a few nights ago, when a question was put to him about this very document, that the right hon. Baronet said, "Why, really I have some flitting, faint, indistinct recollection of the existence of such a paper, but I cannot speak positively of it; however, I will make inquiry into the report, and see if it can be produced to the House." Now, the right hon. Baronet had made his inquiry. Of whom had he made it? Of those who were his colleagues in Lord Grey's Government. Had they a more distinct recollection on the subject than the right hon. Baronet? He had had good evidence of the strength of the right hon. Baronet's memory, and he would venture to say that there was not one of the right hon. Baronet's former colleagues who had a stronger memory than his own. Who, then, was to have a recollection of the existence of such a document, if the right hon. Baronet had not? But whether remembered or not, it now appeared that there certainly was such a document. It was now beyond the reach of doubt that there had been some monster in human form who had submitted such a document to the Government. What opinion must he have had of the Government to which he ventured to submit such a document. Why did not the right hon. Baronet let the House know the name of the great and good man to whom the public were indebted for the benevolent proposition that the poor should be put upon coarser food, and less in quantity; that the commissioners should have no power, under any circumstances, to increase the quantity, but an unlimited power, under all circumstances, to diminish it; and that at a certain fixed period out-door relief should cease altogether? These were the propositions put forth in the document upon which the hon. Member for Nottingham had founded his resolutions. He thought that the charge which the right hon. Baronet had brought against the hon. Member for Nottingham of a breach of confidence was wholly unfounded. The right hon. Baronet said, that twenty copies of the document were printed; that fourteen of those twenty were in the possession of Members of the Cabinet; and that he was of opinion that somehow or other one of the remaining six had been given, in strict confidence, to a gentleman not now alive. That being so, did the right hon. Baronet mean to charge the dead with breach of confidence. The document came into the possession of the hon. Member for Nottingham, in consequence of the death of another party; and there being nothing on the face of the document to show that it was of a confidential nature, how could the hon. Member for Nottingham be justly charged with breach of confidence in submitting it to the consideration of the House. He, from what he knew of that hon. Member, and from what he had seen of his conduct since he had been a Member of that House, did not believe that the hon. Member would knowingly be guilty of anything that could properly be termed a breach of confidence. But he felt that the hon. Member for Nottingham had rendered the public a great service by the production of a paper which would show to the people of England in what an odious, disgraceful, and fiend-like spirit this law had first originated. The right hon. Baronet said, that the present Poor-law was not founded upon the recommendations contained in this document. The right hon. Baronet said, indeed, that the sound policy, the Christian spirit, and benevolent principle of the existing law was utterly at variance with the propositions set forth in this notable document. But he was at issue with the right hon. Baronet upon \that point; and it was his conviction that the people of England would believe that the present law was founded upon the very principles and recommendations which were discovered in that document. The hon. Baronet was of opinion that the poor, under the existing system, were humanely treated—treated in a way that at once accorded with Christian benevolence and sound policy; and he had referred to the county of Bedford, and to other parts of the south of England, as furnishing an illustration of the excellent operation of the law. The right hon. Baronet said, that it had produced an effect upon the agricultural labourer. Undoubtedly it had. He agreed with the right hon. Baronet upon that point. He mixed largely with the middle classes of society, and was continually in the habit of seeing and conversing with the poorest classes of society. He had many opportunities of becoming acquainted with their feelings and opinions; and he knew that the effect which this law had produced upon the minds of the working classes of this country was such as to lead them to the conviction that the great landed proprietors of this country were their enemies—their persecutors, and not their friends. Let any man in any parish in the kingdom say to a poor individual, "The Poor-law was passed for your benefit—it is intended to do you good—to relieve your wants—to make you independent;" what in every instance, would be the reply? "Our belief is, Sir, that the great people don't care one straw for us; and that their object in passing this law was to make our condition worse, and not better." This was the feeling that was pervading the minds of the working classes of this country to a frightful extent—to an extent, in fact, that, in his opinion, endangered the possessions of the Members of that House. It was his conviction, that the Legislature had produced a feeling in the minds of the working classes which would have the effect of rendering, if not their lives, at least their property, insecure. The severity of the law was daily rankling in their hearts. They felt that they were cruelly persecuted. They had not forgotten the different treatment which they received under the law of Elizabeth. That there were defects in the law of Elizabeth he admitted—that it was badly administered he also admitted; but that in spirit and essence it was a wise and good law, he was prepared to maintain, whether upon the floor of that House or anywhere else. The right hon. Baronet had told the House of the number of persons who, within the last three years, had received parochial relief, and had drawn, with something of an air of triumph, a comparison between the great numbers who had been relieved out of the workhouses, as contrasted with those who had received relief within the walls of the workhouses. Was this in the right hon. Baronet's estimation one of the merits of the bill? One of the proofs of its beneficial working? Why, what were they told in the year 1834? That a test must be established. And what was that test? The workhouse. There was no longer to be any out-door relief to anybody at all. Had that law been carried into execution? From the statement made that night by the right hon. Baronet, it appeared that the proportion of poor persons actually relieved within the walls of the workhouses was only as one to six, as compared with those who were relieved out of doors. [Sir *James Graham:* Of the aged and infirm.] The right hon. Baronet stated distinctly that the proportion of the whole number of persons relieved in the workhouses was only as one to six, compared with those relieved out of the workhouses. He was delighted that the hon. Member for Nottingham had brought this question before the House. He was glad, too, that the hon. Gentleman had brought it forward at the present time; because, as it was fit and necessary that the House should this Session determine whether there was, in fact, to be any relaxation of the existing system, or whether it was to be continued with all its severity, it was in his opinion most opportune that a motion of this kind should be submitted to the consideration of that branch of the Legislature before the amended bill of the Government was brought under discussion. The people were looking to this report with great anxiety—in the north of England they were looking to it with special anxiety. The number of letters which the Members of that House, known to be opposed to this law, received from all parts of the kingdom, complaining of its harsh, unjust, and cruel operation, far exceeded the number of communications that they received upon all other subjects combined; and the earnestness with which appeals were made for a relaxation of the law was unabated and increasing. At the same time he was obliged to say that there existed no hope in the minds of the people that there would be any relaxation of this most odious and oppressive law. The people believed that the two great parties in that House were pledged and committed to it, and that both parties were entitled to an equal share of the odium which attached to all who supported it. He had formerly thought that no party could stand in a worse position as regarded this law than the Whigs; but he now saw that there was another party in the country that could act even worse than the Whigs. When the Whigs introduced this measure, it was admitted on all hands that something must be done with respect to the Poor-laws. The country was labouring under most grievous burthens from the mal-administration of the law of Elizabeth. The Whig party, viewing the condition in which the country was placed admitted, with others, that something must be done. Therefore, assisted by their friends, they brought in the bill which was now the law of the land. They did not bring it in until after a commission of inquiry had been instituted and a formal report made. At the time that the bill was so brought forward it was, of course, problematical and speculative as to what its effects would be. But yet, at that very time, the principle upon which it was founded was denounced on the hustings and at all public meetings by the gentlemen of the Tory party in every quarter of the kingdom. It was denounced as coming from the Whigs, and was eagerly seized upon as a weapon to employ against that party. The elections came on, and oh! that Act was a rare God-send for the Tories. It served their purpose well. They denounced the cruelties that were perpetrated under the operation of this law. Cases were selected and brought forward upon the hustings as exemplifications of the odious character and nature of the law. But by and by the Tory party came into power; and a thousand times he had heard it said by individuals of the working classes,

> "Well, if there be no other good from the accession of the Tories, thank God we shall get rid of the infernal Poor-law Act."

This he had heard not once or twice, but a thousand times at least.

> "This good, at least, (said the working people), we shall obtain from the Tories, and we will on that account support them, even if we obtain nothing else from them."

He had been blockhead enough to have been one of those believers himself. He believed that an improper construction had been put upon some words that had fallen from the right hon. Baronet the Member for Tamworth upon the subject. He admitted that: but the expected revision of the law, which was to deprive it of its harshness and cruelty, and to make it a law really beneficial to the poor, had never been made. Upon that point the people had been completely disappointed, if not grossly deceived. What was the proposition of last year? Was it a proposition to amend or alter any one of the obnoxious provisions of the existing law? No—it was a proposition to renew that odious law in all its integrity, and to continue its operation for another five years. The converts to this law declared that they were prepared to encounter all the odium and all the consequences that could possibly fall upon them in consequence of their support of the measure. He could assure them that at the next election they would feel the full weight of the odium they had so justly incurred. He did not believe (till the conviction was forced upon him) that a party boasting of so many high-minded men, and condemning what it was pleased to call the miserable pettifogging of its opponents, would so soon have forgotten declarations and pledges which had enabled them to acquire power, and that they would become the supporters of a law which they had so loudly and emphatically condemned. But he had been deceived. He saw that the two great parties in that House were fully committed to this odious law in all its obnoxious details and principles, and he now believed, that it would never be erased from the statute book unless by the force of public opinion. He was now convinced that it would never be abolished by the will and desire of that House. He had always contended that if they desired to have the administration of relief to the poor founded upon a principle of uniformity, the Legislature ought to establish a Poor-law Court, and give the people a Poor-law Judge; and that in that court, whenever a poor man appealed against the decision of parties whom he should deem to have deprived him of his rights, the country should furnish him with an advocate to plead his cause at the public expense. There would then be something like a uniformity of system, and a regular code of laws to refer to. But it was no matter how he and those who agreed with him argued this question here, or what facts they brought forward to show the cruelty or imperfections of the law, they were immemediately met by opposite statements as to the intent and working of the Act, showing that its application depended entirely upon the whim of the party who had to enforce it, and the caprice by which his mind was actuated. At one time the object was stated to be to effect an uniform system throughout England. Then if he and others brought forward instances in which it was shown that different modes of working the Act took place at different periods in the same unions, or that different systems of diet existed in different unions—in some descending to the starvation point, while in others, as in the City of London Union for example, the dietary system amounted almost to a plethora—then the right hon. Baronet looking over the reports, told them that it was the very object of the law not to produce uniformity, but to give to the commissioners a discretionary power, enabling them to vary the regulations according to the circumstances of the several unions. So that, do what he and the opponents of the law would, they could not get over the right hon. Gentleman. He was a match with them at every point, and, with his majority, more than a match. When speaking on a former occasion as to the dietary of the City of London and of unions in the country, he admitted that the commissioners were perfectly justified in having a varying system; but why? If it were the object of the commissioners to make the poor independent of relief, and to improve their condition, he should very much like to know of the right hon. Baronet whether he did not think the commissioners had proceeded in a wrong course? In London, where wages were high, the temptations to go into the workhouse ought to be small. The commissioners should hold out to the workmen of London every inducement to be careful, and prevent them in the hour of idleness, or when they were out of work, having immediate recourse to the workhouse; therefore in London they ought to establish a lower scale of diet than in many places in the country. Let the House see what was the situation of the poor in many remote parts of the kingdom. The guardians were the same persons who as masters employed the labourers of the unions, and who had the power of fixing the rate of wages in the neighbourhood; and by these same guardians it was determined, when assembled at the weekly board, what should be given to the labourers in the way of relief. What, then, was the state of the poor man? If he would not receive the wages fixed by the guardians, he must go into the workhouse and submit to the dietary and regulations determined upon by the very guardians who, as employers, fixed the amount of wages. In other words, if the labouring man would not accept the wages which the guardians offered him, he was under the necessity of submitting to a system almost of starvation in those receptacles called workhouses. But, said the right hon. Gentleman, this was a humane system—it was one of comfort to the poor, it was founded on Christian principles, and was a system of sound policy. Could that be a system of sound policy which made a mockery of the feelings of the poor, and which drove them to hate all above them in society? Yes, it was a system which caused the poor man to hate, detest, and abhor the aristocratic classes, and it was his firm conviction that no law or set of laws had produced so much mischief in this kingdom as the Poor-law Amendment Act; when he said mischief, he meant with reference to the insecurity of our institutions, and the dissatisfied state in which they found society. Now, supposing the poor man was admitted into the workhouse—supposing his condition to be such as that he could not be denied admission—that he was so destitute as to consent to be received into one of those disagreeable receptacles; supposing this, then he wished to know where was the humanity, or kindness, or Christian feeling, exhibited in the rules and regulations which had been promulgated for the government of those places? Look, foreexample, at some of the rules publish d by the commissioners in August, 1840. Though they were not a part of the law, they were still in operation. A man whose necessities, or very often whose infirmities had driven him into a workhouse, was not allowed, at meal times, to utter a syllable to the person sitting next to him without subjecting himself to punishment as being a disorderly pauper. The silent system was observed at meal times in the workhouse. Look, again, at the rule respecting the visits of friends. By rule twenty-two, it was declared that no person not expressly authorised by law, should be allowed to visit any pauper, except by permission of the master and board, and subject to such restrictions as the board should impose. It was necessary no doubt, that there should be rules for the governing of these houses, but it was a mockery to state that the regulations which had been enforced were founded upon Christian principles, when the effect of them was to torture the feelings of visitors, as well as of the poor themselves. Such rules could never be defended by those who carefully examined them. The regulation respecting visitors contained a proviso, "that the interview of the friend and the pauper should always take place in the presence of the master, matron, or porter, and in a room separate for that purpose." Was not that converting your workhouse into a gaol? Was there anything more restrictive at gaols? Indeed. he believed that in many of our gaols it, was not so bad as this. A young man, for example, could not go into a workhouse to see and speak to his mother, without having a spy set upon him, whatever he might have to communicate. And the poor had secrets as well as the rich. There were matters of importance capable of affecting their feelings and interests; and a son might have something to divulge to his mother which it might be most painful to him to relate in the presence of a third party; and yet the young man could not make such a communication unless in the presence of a spy. To talk of this being founded on humane and Christian principles! It was a mockery to say that such a law has anything of Christianity or humanity in it. The right hon. Gentleman has said, that other countries do not possess such a law as our present Poor-law. He admitted that many nations have not such a law; and that our present law, even, is infinitely better than that which prevails in other countries. But we complain of the substitution of the present law for the law of Elizabeth; we say, that you have robbed the poor of this country of one of their most precious rights by the virtual repeal of the act of Elizabeth. What have the poor done that they should be treated in this manner, and by whom are they thus treated? What he said on this subject may be very unpleasant, and may sound very gratingly to hon. Gentlemen opposite. On this side of the House it was contended that you do not give to the people the opportunity of turning their labour to the best account,—that you have restrictive laws with regard to commerce, which interfere with the poor in their demand for labour,—and that if you were to repeal certain laws with reference to the importation of food, the poor would have afforded to them an infinitely better opportunity of disposing of their labour to advantage than they now possess. On the other side of the House you contend that, for certain reasons, these laws ought not to be repealed. It is the belief of some persons—forming a not inconsiderable party—that these laws are maintained for your own benefit; and he believed that certain Members had the sagacity to be aware that they promoted their own benefit, and for that reason they adhered to them with amazing pertinacity. Now, was it not scandalous, was it not unjust, was it not iniquitous, to deny to the poor man the opportunity of turning his power of labouring to the best account, and then, because he cannot procure wages, to punish him for the fault? That was a question to which he should like to have an answer. He did not know anything more inhuman. He could not conceive anything more monstrous, than such a state of things; and it was the bitter complaint of the poor that the Legislature would not afford them an opportunity of becoming richer, and that it punished them in consequence of their poverty. It would be useless, at this time, to bring forward a multitude of details, to show the operation of the Poor-law in this country; but he could assure the House it was no uncommon circumstance for him to meet with cases in which men have deprived themselves of life rather than go into one of these union workhouses. He met, not unfrequently, with cases of persons who, being in a state of destitution, and fearing that this destitution might lead them to the workhouse, in a moment of despair deprived themselves of existence. He had heard many tales of suffering and woe in the families of the poor; and he could assert that, instead of the present law being deemed a blessing by the working classes, they considered it the heaviest curse with which they were ever visited. If the Members of this House were wise, if the aristocracy of this country were prudent, if they were as sagacious on this subject as they were regardful of what they consider their own interests, they would not hesitate to relax the principles of this measure, and so to amend the law as to allow the rate-payers, the parties who make and who pay the rates, to be distributors of these rates among their poorer neighbours. But it was contended that there must be a power vested in the guardians of withholding relief; and it was hoped that, by allowing an appeal from the guardians in the country to the commissioners in London, the guardians would incur little odium by the refusal of relief. It had been argued in that House, that no regard should be paid to the character of the applicant for relief, that the guardians are to be influenced only by the state of destitution in which the applicant may be, without any reference to the manner in which that destitution may have been caused. The noble Lord the Member for the city of London, declared most emphatically that it was monstrous to give the guardians the power of regulating the amount of relief according to the character and conduct of the party making the application. He had repeatedly pointed out the danger of such a principle as that for which the noble Lord contended; and when the aristocracy of this country determine by law that the guardians, in administering relief to applicants in a state of distress, should have no regard to the character or conduct of the applicant, they were laying the foundation of a state of things which could not be contemplated without extreme apprehension. What was the course pursued in former times, when the vestries were open, and before the select vestry acts were passed? The poor persons were in the habit of attending the rate-payers in the vestry-room, and application after application was made for relief. The destitute were relieved; but something more than relief was given to those of deserving and uniform good character. They received kindly and sympathizing treatment from the persons who had the disposal of the rates, and who bestowed them,—the possessors and creators of the property; but the present law denied to the creators of the property the opportunity of bestowing that property upon their poorer neighbours as they thought fit. That was the reason why he so strongly complained of the repeal of the enactment of Elizabeth; in that law no such provision is to be found; but the present law took from the guardians the power of giving relief, and left them at the mercy of the commissioners. He was glad that the hon. Member for Nottingham had brought this subject before the House in its present form. He was glad that the principle of the law was to be considered, and that the vote of the House was to be taken on the question; and he hoped that the people of this country, who had manifested much anxiety and interest with reference to the operation of this law, would have some regard to the conduct of that House in dealing with the question when they are called upon to return representatives to Parliament.

Mr. *Borthwick* said, there was no question to which he was anxious to give such careful attention as that which was now brought before the House by the motion of the hon. Member for Nottingham. The right hon. Gentleman, the Secretary of State for the Home Department, had charged those who supported the views advocated by the hon. Member for Nottingham—who had so long and consistently, and he would add so ably argued the question in that House on various occasions — with popularity-hunting, and with differing from perhaps the highest authority in this country. With respect to the first charge, he would ask the right hon. Gentleman, whom did the opponents of the present Poor-law court? The poor. What advantage then might they expect to derive from flattering and courting the poor, who were incapable of rendering any other return than thanks for the exertions which were made on their behalf? He thought the right hon. Gentleman had treated somewhat unfairly the observations of the hon. Member for Nottingham with respect to his having ventured to differ from the Duke of Wellington on this question. The hon. Member for Nottingham could not have used more respectful language than he had done in referring to the noble Duke. The hon. Gentleman said, that that noble individual was the highest living authority in matters relating to war, but that he yet must differ from him in the opinions he entertained on this subject. If hon. Members were to surrender their judgment in that House, if they were to bow before talent and ability, he did not know any individual within those walls to whom he would more readily surrender his judgment than to the right hon. Baronet, the Secretary for the Home Department. There was no one for whom he entertained higher respect, and in whose judgment he reposed greater confidence than the right hon. Baronet; but he must say, that he could not surrender his judgment, and that he could not shrink from doing that duty which he was sent into the House to perform, from a regard for the opinions of any individual, however able and distinguished he might be. He would not, by such a surrender of his judgment, render himself liable to the charge, on the part of his constituents, of having neglected their interests. It had been said, that this country possessed a more perfect Poor-law than any other nation enjoyed; but he thought, that if they looked at Spain, and other Roman Catholic countries, they would exhibit a wonderful contrast as compared with England. He would not, however, enter into that question; but he would take leave respectfully to ask the right hon. Baronet the Secretary of State for the Home Department, whether there were not a country which once had a much more Christian system of Poor-laws than England now possessed? He alluded to England itself at two distinct periods, before the reign of Henry 8th, and at the time of Elizabeth? At the period when Henry 8th confiscated that property which was acknowledged to be the right of the poor, and threw upon his successors the necessity of providing some law for their relief, England unquestionably then possessed a code of laws relating to the poor infinitely more Christian, more humane, and more just in their character than those which were now in existence. He would say also that the principle of the law by which Queen Elizabeth made provision for the relief of the wants of the poor was much more humane, and much more consistent with the principles of Christianity and charity, than the law which was now under discussion. But did it therefore follow that no change could be made in the provisions of the present Poor law, without going back entirely to the law of Elizabeth? By no means. He would adopt the principles of the law of Elizabeth, but in their application to the present state of the country those principles might be greatly and beneficially modified. He would be travelling very much beyond his province if he ventured to suggest to the House the framework of a new law on this subject. But, with reference to the principles upon which the present law was founded, whether it was or was not founded upon the express document to which the hon. Member for Nottingham referred in his resolutions, or upon other recommendations, those principles he considered so strongly opposed to the principles upon which such a law ought to be grounded in this country, that he would feel it his duty to vote for the motion of the hon. Gentleman behind him. Whether or not the document which the hon. Member had quoted, was the express document upon which the existing law was framed was a matter of comparative indifference; but it was well known that the principles asserted in that document were precisely similar to those upon which the present Poor-law was grounded. The principle of the Poor-law, as it now existed, was neither more nor less than this,—that when the poor applied for relief in the country in which they were born, and in which they had expended their industry, they should be told, "There are many among you who are not deserving of the relief which the country provides. You are intruders upon the legitimate inheritance of the poor. I do not say you who now apply belong to that class, but I will try whether you do or not by this test: if you are prepared to forfeit all such ties as bind you to your homes and dearest relationships in order to prove that you cannot get bread, and that you are ready to go to the workhouse, I will believe that you belong to the virtuous poor; that you really want bread; that you are an industrious poor man, who, having expended your strength on behalf of your country, are deserving of support at the hands of the public." This was the simple principle that lay at the bottom of the whole Poor-law. He asked the right hon. Baronet or any other hon. Gentleman to tell him by what manner of ingenuity he could discover a principle so directly opposed to Christianity, so directly opposed to sound policy, so directly opposed to the dictates of charity and benevolence as this? Here was the manner in which they worked out the principle to which he referred. To a board sitting at London all cases which might occur, however remote the part of the country where they occurred, were ultimately referrable. Those persons who applied for relief must be referred to the London commission. He did not object to the character of the gentlemen who composed that commission; what he contended for was, that the commissioners had a law to administer which was so inherently cruel, that if you had the quintescence of charity itself embodied, and administering the Poor-law, it would be impossible to help acts of harshness. The question before the House was a question of principle, and he most sincerely thanked the hon. Gentleman behind him, that he had reduced it to a simple and short form. He would not detain the House further than to say that he should have great pleasure in supporting the motion of the hon. Gentleman, and whenever the Poor-law came before the House, he should support the spirit of the motion by demonstrating every opposition to that law in his power.

Mr. *Aglionby* said, that the motion before the House was so peculiar in form that he should not vote upon it without giving his reasons why he should support the hon. Member for Nottingham. It might be well, lest the public should be misled from ignorance of the rules of the House, to observe that in point of form each resolution was taken separately, and that the House was, in the first place, and at present, about to come to a vote on the first resolution. That resolution was in these words:—

"That in a document entitled 'Measures submitted by the Poor-law Commissioners to her Majesty's Ministers,' appear the following passages:—'That at any time after the passing of this act the Board of Control shall have power, by an order, with such exception as shall be thought necessary, to disallow the continuance of relief to the indigent, the aged, and the impotent, in any other mode than in a workhouse, regulated in such manner as by the aforesaid Board of Control shall be determined:' 'The power of the Commissioners would be to reduce allowances, but not to enlarge them;' 'After this has been accomplished, orders may be sent forth directing that, after such a day, all out-door relief should be given partly in kind; after another period it should be wholly in bread; that, after such another period, it should be gradually diminished in quantity until that mode of relief was extinguished. From the first the relief should be altered in quality, coarse brown bread being substituted for fine white, and, concurrently with these measures as to the out-door poor, a gradual reduction should be made in the diet of the in-door poor, and strict regulations enforced.'"

He did not understand, that on any hand those words were denied to be in the document in question; but the effect of the right hon. Baronet's motion would be this, "though true it is, that such a document and such passages do exist, yet it is not expedient to discuss them at present." That was the meaning of the vote which the House was called upon by the right hon. Baronet to pass on the first resolution. Now, he had always approved of the Poor-law in its general principles; he supported it on its passing; he believed, that while it was a good law in its general principles, many of its details had worked well for the poor; but though he did not go to the full extent with the hon. Member for Nottingham in his views, he thought that many of the provisions of the law were harsh in their nature, and had been harshly worked out, and he believed were disgustful to the poor, and, in general, unsatisfactory to the ratepayers of the kingdom. He thought some of the provisions of the act so harsh and unsatisfactory that he could not support them. Let it be observed, however, that he was not popularity-hunting by decrying the whole Poor-law, but that what he said was, that there were provisions to which, as rendering the law unpalatable to the people (as for instance, the provisions respecting out-door relief), he was opposed. He should, therefore, vote on this question with the hon. Member for Nottingham, because he thought it was not expedient to give the go-by to a subject of this kind. He wished to press on the House the spirit of the views of the hon. Member for Nottingham, and he hoped they would not fail early in the Session to take into consideration the whole of the Poor-law, with a view to ameliorate such of its provisions as were harsh. As to the principle of out-door relief, he could not forget how great had been the difference of practice stated on a former occasion by the right hon. Baronet the Home Secretary and the right hon. Baronet the Member for Kent (Sir E. Knatchbull). The right hon. Member for Kent had stated, that an application had been made by him, as chairman of a board of guardians in Kent, to be allowed to adopt a relaxation of the principle, which was refused; while the other right hon. Baronet had stated, that the Longtown guardians had made the same application which was acceded to, and that if it had not been they would not have continued in office another moment. That was the mode in which the principle had been worked some time ago. Since then, however, it had been materially relaxed. Now, he objected to such large, arbitrary, and capricious powers being vested in the hands of any set of men. On the whole, therefore, though generally favourable to the Poor-law, he thought there were harsh provisions in it which prevented its working as well as it ought, and believing that those harsh provisions had been rendered still harsher by the manner in which they had been worked out, he hoped the House would as soon as possible, carry into effect some of the sentiments expressed in the resolutions of the hon. Member. Perhaps the right hon. Baronet (Sir J. Graham) would allow him to call his attention to the third and fifth resolutions. The third stated, that the suffering already caused by the partial enforcement of those recommendations, and the amount of out-door relief, in spite of them, still administered, showed their provisions to have been at once cruel and impracticable. He thought that would not be denied; he believed, that those provisions had been carried out in a most objectionable mode. The fifth resolution stated,

> "That this House think it expedient to demand such a reconstruction of the existing system as shall make it conformable to Christianity, sound policy, and the ancient constitution of this realm."

He adopted that statement in its spirit, without binding himself to any particular form of words.

Mr. *Cripps* was anxious to state, in reply to what had been stated respecting the Cirencester workhouse, that persons in that workhouse lived, he was sorry to say, better than many of those who were called on to pay poor-rates. The dietary table which had been printed in *The Times* and various other newspapers was not the dietary table used in the Cirencester workhouse; there was not a single day on which the paupers in hat workhouse had ever been fed on the dietary table. If the table was signed by the Poor-law Commissioners, that might be an instance of their neglect, but at any rate, the table never was a single day or a single hour acted on in the Cirencester workhouse. When the hon. Member for Nottingham next quoted the dietary of the Cirencester workhouse, let him be sure to get the right one.

Colonel *Sibthorp* would oppose the principles of the Poor-law, in whatever shape it came before the House, and therefore he supported the motion of the hon. Member for Nottingham, whom he wished to thank for the manner in which he had brought the question before the House. He did not wish to lay any weighty charge against the commissioners, but he did complain of the manner in which the commission was constituted, and of the way in which they had acted; and he thought it a little too much that any body of commissioners sitting in London, who could not be conversant with the wants of particular counties, should dare, as he would call it, to interfere with the local bodies of guardians, who were far better qualified to find out what description of persons were deserving objects, in their administration of relief. There could not be a question of the number of cases of cruelty and oppression which had taken place among the class of people on whom the Poor-law operated; he had heard of a number of cases himself, which he should bring forward, unless he found them contradicted. For his own part, he should be glad to resort to the old law; in his opinion it was a most excellent law; in the neighbourhood in which he resided he knew of no one proof of cruelty to the poor under it, or of its having been administered with any other than good feeling to the poor; but in stepped this New Poor-law, and matters were changed, immediately changed, for the worse. He gave his most cordial support to the hon. Member for Nottingham, together with his thanks to him for the mode in which he had expressed his general views, and for his kind feelings to the poor. He should repeat what he had often said before,—that until he saw some measures adopted more in consistency with the feelings of humanity, he should continue to oppose the present Poor-law.

Mr. *John S. Wortley* said, that the House had been told by two hon. Gentlemen that they should take every opportunity to express their repugnance and aversion to the Poor-law, and he must say, for his part, that he thought that repugnance, perhaps, in some cases, might be well founded; but he could not follow them in the course they were about to take in giving their votes, because he thought that as a Member of the Legislature he ought not to pursue an indiscriminating course of opposition to any measure, but ought to look to the questions which might be submitted to the House, and see whether they were such as to enable him to adopt a satisfactory and useful course upon them. With respect to the present motion, he did not hesitate to say, that he concurred in many respects with the hon. Member for Nottingham, but the hon. Member had placed the question before the House in such a way that he could not give the hon. Member his vote. He protested, however, against the attempt of the hon. Member for Finsbury to give an interpretation to the motion which was such as he could not admit. The hon. Member had told the House, that the question was not that which the hon. Member for Nottingham expressed in the terms of the resolutions, but that the question was, whether the House was to make any relaxations at all in the administration of the Poor-law. Now, he would not admit that to be the true interpretation—he would admit no such thing. The first question at present before the House was, whether certain passages were or were not contained in a document entitled, "Measures submitted by the Poor-law Commissioners to her Majesty's Ministers;" and he thought that if hon. Members were prepared to affirm all the statements in this resolution, it was unquestionably their duty to vote with the hon. Member for Nottingham; if not, then, he said, they could not give the hon. Member their support; and though he felt it his duty to withhold his support on this occasion, yet he should hold himself free to consider any change in the Poor-law that might be proposed, and he should do his best to aid in any attempt to remedy its defects, and adapt it to the situation and wishes of the country. That was the course which he had from the first adopted, and that was the course which he would pursue. The hon. Member for Finsbury—who, to his regret, had left the House—had viewed the motion in a light which, if permitted to remain, would place many Gentlemen in an invidious position—a position in which it was possible the hon. Gentleman wished to include him with others. He, however, would take the liberty at once to reject his imputations. He never on any occasion or at any period held out an expectation to those who sent him to that House, that it was his object or intention to annihilate the existing Poor-law, or to expunge it from the statute book. On the contrary, on all occasions, as on the present, whenever speaking of this question, he had always said, that considering the outlay which had been incurred—considering the time during which the law was in operation—and considering the various and extensive arrangements which had taken place under its authority, he considered it impossible now to repeal that law. He however, at the same time, said, that there were certain points in the law which he distinctly considered to be rigorous and defective; that such parts would require to be altered and ameliorated, and that he would certainly devote his attention to the attainment of that object. When, however, he was asked whether he would support any motion for the repeal of the law, his invariable answer to all such questions was, that he would do no such thing. He again urged the same arguments, that the law had been many years in operation, that its machinery had been constructed at considerable expense, that it had been adapted to the various parts of the country, and under such circumstances and with such considerations it would be impossible for him to adopt the opinion that it ought to be totally repealed; but he would cordially concur in any practical plan for fixing and removing its defects, for altering and repealing such of its enactments as appeared to require alteration, and for adapting it more thoroughly to the existing state of society. Such being the opinions he had always expressed, and such the views he had entertained on the subject, he thought he might safely bid defiance to any imputations which the hon. Member for Finsbury might think fit to cast. The hon. Member for Finsbury chose to throw obloquy upon the present Government on the same grounds, and assumed that they had at the late elections given an implied expectation that the present Poor-law should be repealed in the event of their coming into power. He never heard that the right hon. Baronet at the head of her Majesty's Government had ever held out any such expectation, but the right hon. Baronet, in his speech to his own constituency at Tamworth, in the midst of the general election, declared that he would oppose any alteration in principle of the existing law. This declaration of the right hon. Baronet was circulated by means of the press throughout the country. He recollected to have read that declaration with some disappointment. He wished that the declaration of the right hon. Baronet had been somewhat qualified; but such was the statement made by the right hon. Baronet, and he, as a supporter of the present Government, rejected the imputation attempted to be cast upon them by the hon. Member for Finsbury when it was insinuated that they wished to mislead the country, and to create an erroneous impression with respect to the manner in which they intended to act as regarded the Poor-law. Now, as to the question at present before the House. The first of the resolutions, founded upon a document said to have been submitted to the Poor-law Commissioners, was as follows:

> "That these recommendations, applicable alike to every class of the poor, and enjoining an indiscriminate reduction of their physical comforts to the lowest endurable point, are shown by the subsequent orders and practice of the Poor-law Commissioners to form the real and avowed basis of the present system of Poor-law relief."

This was the resolution which the House was then called upon to affirm, and he for one could not do so. So far from saying that such was the case, he would reject the resolution, for he denied that such was proved to be the spirit of the act, or its substantial practice. When he was asked to affirm the existence of the document upon which the resolution was founded and then to add that it was in the spirit of that document the Poor-law was uniformly administered he found it impossible to do so. The House had heard from the right hon. Baronet the Secretary for the Home Department the history of the document. Whether or not it was obtained by a violation of confidence or whether it was found accidentally amongst other papers he (Mr. Wortley) could not of course undertake to say; but if he could suppose that the paper was procured by a breach of confidence that would furnish an additional reason why he would refuse his support to the first resolution. If it was procured by an improper or unjust violation of confidence, the most becoming course for the House was to give it no countenance. He would, however, assume that it had not been so procured. He would take it for granted that it had been obtained by some fair and legitimate process. Even with this assumption, and although the existence of the document was admitted, still it was rather a strange course to call upon him to affirm the contents of a document which he had never seen, and to vote for this resolution. When they came to the other resolution, if the hon. Member for Nottingham had made up his mind to proceed with it in the event of the first being rejected, he (Mr. Wortley) with all his objections to certain parts of the Poor-law could not say that the document produced was the avowed basis of the Poor-law Act. When the House took into consideration the declaration of the right hon. Secretary of State for the Home Department, who stated positively from his own knowledge that the document which headed the resolution was not the ground-work of the new law, but that on the contrary, that document had been unanimously and deliberately rejected, it would be impossible for the House to give its assent to the resolution. The hon. Member for Nottingham might think that the Poor-law was conceived and administered in the spirit of this document, and others might more or less lean to that opinion. The hon. Member might be confirmed by the document in the opinion that the law required to be altered to a greater extent than he (Mr. Wortley) considered to be necessary, but he could not, on that account, affirm the resolution that it was in the spirit of that document the present law was administered by the commissioners. To the third resolution of the hon. Gentleman, he had but little objection. There was a great portion of it which he would willingly support, although he would prefer having it worded in another manner. It ran thus:—

> "That the suffering already caused by their partial enforcement, and the amount of out-door relief in spite of them still administered, show those provisions to have been at once cruel and impracticable."

There was no doubt that the opinions expressed in this resolution were, as respected some parts of the country, substantially true; though to others they applied with less force, and the House ought to inquire into the truth of such assertions when placed upon record. To the last resolution, affirming the expediency of making the law conformable to Christianity, sound policy, and the ancient constitution of this realm, he would give his decided assent; and if it came to the vote, notwithstanding that in this resolution also he could wish the wording to be different, he should be found on the same side as the hon. Member for Nottingham, as the resolution clearly pointed out the object which they should all have in view. The question then would merely be one of amount. There might be a difference as to the extent to which parties would go, but if any alterations of the law were to take place, they could not be founded on a better principle than that contained in the last resolution. If the question were taken upon the first resolution, he should vote with the right hon. Baronet the Secretary for the Home Department, but if upon the last, which he hoped would be the case, the hon. Member for Nottingham should have his support. It was the duty of the House to take care not to act upon impulse, and if the hon. Member for Finsbury had alluded to him as one of those who were alleged to have held out expectations that the law would be abolished, he would only reply that he had never held out any such expectation, and he would add upon this occasion what he had said on former ones, that he was prepared to advocate such reasonable alterations in the law as would adapt it more thoroughly to the existing state of society.

General *Johnson* was of opinion, that the country was deeply indebted to the hon. Member for Nottingham for bringing forward this question in its present shape. There could now be no doubt of the existence of the document which headed the resolutions, and he for one was glad that it had made its way into the House. He was satisfied that it contained the principles upon which the Poor-law Commissioners had acted, and all who watched their proceedings must come to the same conclusion, for no assertion could contradict the fact. It was the intention from the first to withhold out-door relief in all cases, but finding that principle impracticable, they were compelled to draw in their horns. The right hon. the Secretary for the Home Department said, that 4,000,000*l.* was annually expended. He (General Johnson) should like to know how much of that sum had been expended on the establishments.

Sir *J. Graham* said, that 4,200,000*l.* had been expended, of which not one farthing had gone to the establishments.

General *Johnson* only wished that the sums so expended had been doubled It would be very desirable if the right hon. Baronet would furnish the House with the date of the document. There was no doubt that the hon. Member for Nottingham would have furnished it if he could. It was probable that some such document had been issued to the commissioners in 1832, and also that such document had been circulated amongst the framers of the Poor-law; for no one could deny—nay, not even its supporters—that the law was extremely harsh and cruel in its operation. The boards of guardians themselves in many instances were so convinced of its cruelty that they gave alms themselves from their own pockets to those to whom they were not permitted to afford out-door relief. A Christian law forsooth! Every thing Christian was characterized by goodness and mercy, but the characteristics of this law were evil, cruelty, and oppression. The noble Lord, the Member for London, when sitting upon the Ministerial Benches, stated that he was ready to defend the principle upon which the law made no distinction between the good and the bad. It was impossible that such a law—a law which made no distinction between good and evil, could emanate from, or be framed in, a Christian spirit. It was impossible that a Christian feeling could consent to throw the whole of the poor into one mass, without distinguishing between the bad and the deserving, without drawing a line between those reduced to poverty by their own intemperance and those who were afflicted by the visitation of the Almighty. Could that law be Christian which would subject those two classes to the same treatment? The principle of uniformity at first so much insisted upon was now abandoned on all hands. The principle of the present act made poverty a crime, whilst the law of Elizabeth did no such thing. How, then, could it be argued that the present law was founded upon the law of Elizabeth? Those who made that statement could not have read Elizabeth's act. It was a short one, and if hon. Members would only read and compare it with the present law they would find a material difference. The present law shut people up in prison and shortened their lives. If old or infirm at their entrance into the workhouse they scarcely ever survived twelve months without breaking down. The mere confinement produced this result. He had asked an old man who had been an inmate of a workhouse how he liked his residence there, and the answer was, "They treated me well enough, but I wanted my tobacco and my liberty." That was the point. They had no right to deprive British subjects of their liberty, whose only crime was poverty. The right hon. Baronet said, the question of the Poor-law had been discussed last year. If it had been thoroughly discussed the bill would have passed; but the question came before the House at too late a period of the Session to allow of discussion, and the consequence was that only three or four of the first clauses, the more stringent clauses, were allowed to pass. His objection from the first was that the measure was found essentially unconstitutional—that it put the people of England out of the pale of the law, and placed the poor at the disposal of three persons who exercised despotic control, and whose secretary, if he were to be judged of by his correspondence, must have a heart of stone, for no other man could be found to write such letters. It was to be hoped, for the sake of the peace of the country, and with a view of allaying the ferment which existed in the public mind upon the subject, that the question which had been introduced by the hon. Member for Nottingham would be fully and fairly discussed.

Sir *R. Peel:* The hon. and gallant Officer says it is a misapprehension to suppose that the present law is founded on the act of Elizabeth, and challenges us to enter into a comparison of one act with the other. Now, Sir, I will accept the challenge of the hon. and gallant Officer, and I will endeavour to show to him, as I think, successfully, that the present law is not as he appears to think at variance with the law of Elizabeth; and if I shall succeed in proving this, I think I shall render it somewhat difficult for the hon. and gallant Gentleman to vote for the resolutions of the hon. Member for Nottingham, which he calls upon the House to support as being in consonance as well with the law of Elizabeth as with true Christian principles. By the terms "the ancient constitution of the realm," I think I understood the hon. Member rightly to mean not our form of political Government but the rights confided and guaranteed to the poor of this country by the act of Elizabeth. Now, I beg to call the attention of the House to what were the particular enactments of that law. The hon. and gallant Gentleman who spoke last would lead the House to suppose that there was something particularly tender, something extremely merciful and benevolent towards the poor in that statute. [General *Johnson*: No! no!] No! no! Sir, the hon. and gallant Gentleman challenged a comparison between the new law and the statute of Elizabeth. Did he not say, that in the new law we had departed from that statute, and that the poor now ceased to possess those rights to which by that statute they were entitled? I am sure I state the hon. and gallant Gentleman's arguments correctly. The same arguments were put forward by speaker after speaker in this discussion; and when I am about to accept the challenge thrown out by the hon. and gallant Gentleman, he interrupts me. It has certainly been assumed, that the Legislature of the present day have subjected the poor of this country to hardships from which they were exempt at more remote periods of our history. Now let us see what was done in respect to the poor in the reign of Elizabeth. I am not now contending that if there were hardships in the reign of Elizabeth, that is a reason why they should continue now. I am only dealing with the positive statement, that the present law is much more harsh in its operation than the law of Elizabeth, and my object will be answered if I disprove that statement. See what was enacted with respect to cottages in the reign of Elizabeth. The Legislature wished, as far as possible, to discourage the construction of cottages, and of habitations for the poor; and, accordingly, a law was passed, prohibiting the erection of any new cottage unless the builder of the cottage attached to it in fee simple four acres of ground. The Legislature, moreover, provided, with respect to all cottages actually existing at the time, that none of them should be inhabited, unless they were inhabited by a gamekeeper for the protection of deer, or by a shepherd for the protection of sheep, that shepherd having no family; and, also, that all such previously existing cottages should be inhabited by one family only, and that that family should not be allowed to increase its numbers. Is it not quite clear, that the condition of attaching four acres of land in fee-simple to all cottages that were thenceforward to be built, was intended as a prohibition to the building of cottages? And yet such a reservation was made and enacted by the 31st of Elizabeth. I now come to speak of the 43rd of Elizabeth. What did that law enact? Why, this; that overseers should be enabled to put to work all poor persons who were able to work, but who had no occupation, and were incapable of maintaining themselves. They were enabled to put those persons to work, at the parish expense, at the manufacture of flax, hemp, and iron. Nothing is said respecting the mode in which they were to work. There was no prohibition to employing them in workhouses. There was no obligation, but, at the same time, there was no prohibition against their being so employed. The overseers were at liberty to find them employment at their own homes. Work was the test of poverty, and the condition upon which relief was to be afforded. With respect to the impotent poor, the overseers were empowered to take them from their homes, and place them in something corresponding to a workhouse. All the blind, the lame, and the impotent, so far from being left at home, were placed at the mercy of the overseers. The overseers were empowered to purchase houses, and place them in those houses, while they were compelled by the enactments of the 31st of Elizabeth, to prevent more than one family from occupying each cottage existing previous to that act. An exemption, however, was made in respect to parish cottages, in which the overseers were authorised to place as many families as they pleased. Then what were the merciful enactments of the 31st of Elizabeth respecting children, and what the power given to overseers under that act? Why, this, that whenever they determined that certain parties were unable to maintain their children, they were empowered, to take those children from their parents, and bind them apprentices. But that is not all: they might take the children of any person whom they thought incompetent to maintain his family, and bind the man child, as he was called, in any remote part of the kingdom, where he would be required to work for another person—for how long, think you? until he had attained the age of twenty-six years; while, in the case of the female child, she was to remain an apprentice, severed from the bosom of her family, and removed from the protection of her parents, until she had reached the age of twenty-one years, or until she was married. Now, taking the present law as a whole, I must say, that it is much more merciful. Would you tolerate, now, that the overseers of a parish should be enabled to take the children, not of persons receiving relief, but of any persons whom they might consider unable to maintain their children, and dispose of those children in the manner I have described, through a fear that they might become a burden to the parish? Do you tolerate, now, that children should be torn from their parents, by the authority of the overseers, and by the same authority, be sent to Cornwall or to Northumberland, and there bound apprentices until they are twenty-six years of age, or in the case of females, until they are married? There is no obligation on the overseers, by this act of Elizabeth, to employ persons for whom work was found in any particular house, and so the act continued—but it did not continue to the date of the New Poor-law. Hon. Gentlemen have assumed that with the New Poor-law originated the workhouse test, in lieu of the labour test; but, so far from that being the truth, 120 years ago, in the 9th of George 1st, owing to the gross abuses which had arisen out of the mode of employing the poor in parishes, owing to the great expenses which were incurred in those parishes, and to the charges connected with the manufacture of hemp, flax, and iron—in 1722, owing to those abuses, another act was passed which enabled the overseers to provide a house, wherein the able-bodied poor should work, and which expressly enacted that in case an able-bodied poor man refused to work within that house, he should forfeit his entire claim to relief. That act applied the workhouse test in lieu of the labour test. Upon the combined operation and experience of those two acts, the 43rd of Elizabeth and the 9th of George 1st, the latter act having been passed 120 years ago, founded on the gross abuses of the overseers in vestries, purchasing the articles I have named, and giving them out to the poor without accounting for the profits, if profits there were, and on the gross misapplication of the public funds, that act having been the first act which applied the workhouse test in lieu of the labour test, and having been so continued until the New Poor-law—upon the experience of these two acts, and upon the principle which the latter had already established, was the question dealt with by the Government, and the New Poor-law enacted. In consequence of the inconvenience of having the management of the poor confided to individual parishes, another principle was adopted by the 9th of George 1st, and followed in the present Poor-law—that of enabling parishes to unite for the purpose of having common workhouses, wherein to employ the poor. I think I have succeeded in showing that the present law, as regards the workhouse test, is not a new law, and that it is not, as it is said to be, at variance with the constitution of the country—if by the word "constitution" we are to understand ancient laws which have been continued for the maintenance and benefit of the people. The resolutions now before the House also appeared to assume that the existing law is founded strictly upon certain suggestions which were offered for the consideration of the Government. It is absolutely necessary that a Government, before it matures any plan, should seek for, and should procure suggestions. I will venture to say, that no great measure has ever passed without the aid of such suggestions. which were afterwards considered and put into shape. But is it fair, even if those suggestions come into another person's possession in the most legitimate way, that one suggestion should be taken, and it should then be assumed that they had been acted upon by the Government? Suppose, however, it should turn out that the suggestion has been rejected. Can any one be so unjust as to say, that a suggestion offered to the Government and rejected—which the Government refused to adopt—is it not too much to ask the House of Commons to resolve that the suggestion so rejected is that on which the measure of the Government is based. In the first place I object, even if an hon. Member were in possession of memoranda or a draft presented for the consideration of the Government, to produce any such paper, because it would be very prejudicial to the preparation of great measures if that House should consent to recognise the principle that all the private information on which it is founded or acquired during the preparation should be produced. But it is said the paper was printed. Why, to be sure it was printed. When fourteen or fifteen gentlemen meet together to consider a long or elaborate paper, it is usual to have it printed for their use, but although it was printed, it was considered as confidential as if it had been written. From nothing could greater inconvenience arise than if papers of a confidential nature, containing suggestions, whether they were adopted or, as in this case, not adopted, should be called for and produced. Let me take an instance from private life of the draft of a settlement or of a covenant returned unapproved of could anything be more unjust than to implicate a man in the contents if it were rejected by him? With regard to these resolutions, it is declared that the recommendations alluded to,—

> "Applicable alike to every class of the poor, and enjoining the indiscriminate reduction of their physical comforts to the lowest endurable point, are shown, by the subsequent orders and practice of the Poor-law Commissioners, to form the real, though unavowed basis of the present system of Poor-law relief."

That is to say, that the refusal of out-door relief forms the basis of the present law. Now my right hon. Friend the Secretary for the Home Deportment (Sir J. Graham) has shown that during the last year 221,000 persons has received in-door relief and 1,207,000 persons have received out-door relief. How is it possible, then to say that the suggestion to put down out-door relief is the basis of the existing law, when five out of six cases of relief under it are cases of out-door relief? How can it be said that this law is more severe than the Poor-law in any other country? I will venture to assert, it can be demonstrated that each poor person thus relieved received more, in reference to the riches of the country—a much larger sum—than persons in the same situation in any other country on the face of the earth. I am not now speaking of the law expenses, of the expenses incurred in the construction of the poor-houses, or of the interest to be paid for the money necessary for such construction; I am speaking of the money exclusively applied for the relief of the poor. In the year 1842, the number of 1,429,000 persons received relief, 221,000 in the workhouse, and 1,207,000 out of the workhouse. The sum appropriated for this relief was 4,036,000*l.* On an average of three years 1,309,000 persons had been relieved, and the sum of 3,887,000*l.* had been distributed. Why that was nearly 3*l.* a-head received by each poor person. If you take into consideration the condition of the paupers in the other countries on the face of the globe, and made an allowance for the difference of wealth, he doubted whether in any country the poor received more. I am surprised to hear the speech of the learned Gentleman the Member for Cockermouth (Mr. Aglionby); I have seen him upon several occasions rise above party considerations, and vote according to the dictates of his own mind. When I heard the learned Member's speech, and his intention to vote for these resolutions, my surprise was so great I could scarcely express it. The hon. Member may measure the extent of my respeet for him by the extent of my surprise. The hon. Member said he had voted for the Poor-law; he approved of the principle on which it was founded; he had expected from it great good; the hon Member said, that, upon the whole, he had not been disappointed —that upon the whole it had performed the object for which it was enacted—it had tended to increase the comfort and elevate the condition of the poor. If the hon. and learned Member had said that, as a bill was to be introduced to remedy any defects in the law, he would give notice of his intention to vote in favour of the remedies for all those defects, he could have understood the hon. Member. [Mr. *Aglionby* had meant to say so.] The hon. and learned Gentleman has taken every opportunity of supporting the Poor-law, his opinion was that its operation had been beneficial; he had not been disappointed upon the whole, although in some cases he found errors; he found that the condition of the poor under the operation of the bill had been good; and then he said he would give his vote for a resolution declaring that,—

> "The suffering already caused by the partial enforcement (of the principles), and the amount of out-door relief, in spite of them, still administered, show their provisions to have been at once cruel and impracticable."

And not only this, but the hon. Member went the length of voting in the last resolution that.—

> "It is expedient to demand such a reconstruction of the existing system as shall make it conformable to Christianity, sound policy, and the ancient constitution of this realm."

A man who denounces the law altogether ought to vote for these resolutions; but that an admirer of the law, that one who thought it had been beneficial in operation and tended altogether to the improvement of the condition of the poor, should give his vote for resolutions which condemn the law, and demand its total and complete repeal, recollecting, at the same time, what had been the uniform practice in former times, does fill me with complete surprise. Does the hon. Member not think that he will damage a law, which speaking generally, has been beneficial in its operation, and that upon the whole it has increased the physical comforts of the poor? As we have got a law of this kind, let us take care how we denounce it as not conformable to Christianity. I have still confidence, however, enough in the hon. and learned Member to believe that he will not oppose the law, which, on the whole, has worked well,and will not vote with the hon. Member for Finsbury, who denounces the law altogether. The hon. Member for Finsbury, full of the milk of human kindness, began his speech with charges and imputations. He said that it was most unparliamentary—nay, more than that, that it was unjust to establish an inquisition, and to judge of men, not only by their conduct, but to dive into the recesses of their hearts, and then impute motives to them; and in a few minutes after he went on to say, that whoever drew up these suggestions, recommending such a system as the present, were fiends in human shape—were heartless monsters—were, but I cannot—I really cannot—follow the hon. Member; I break down altogether in the attempt. The hon. Gentleman may say that those charitable motives ought only to influence us in reference to Members of Parliament, and that as those suggestions were not drawn up by Members of Parliament, it was not contrary to usage, or uncharitable, to impute motives to the authors of them. But the hon. Member himself dealt rather uncharitably even towards Members of Parliament opposed to his views; he proceeded to make charges against me with respect to certain declarations of mine on the subject of the Poor-law; he charged me with desiring to gain support at the period of a general election by denouncing the Poor-law, and yet having in office supported that law. He made no exemption whatever, and put an erroneous construction on what I said respecting the commissioners. I gave the same support to the law when out of office that I have given since, and at the general election I said, that although I admitted that parts of the Poor-law required amendment, and that I should be willing to listen to any improvements that might be suggested for the benefit of the poor, I had not changed my opinion respecting the commissioners, and could not therefore ask my constituents to support me on the supposition that I would take a different course upon the subject of the Poor-law from which I had hitherto taken. In fact, I made precisely the same declaration to my constituents at the two last elections, and it is therefore rather hard to be accused of holding one language in office and another when out of office. And so the hon. Member for Finsbury, forgetting the charitable construction which he would have others put upon his motives, said that those who had declared for repeal, if their opinions remained the same, ought to vote for repeal. But I have heard very few indeed say that they would not support the principle of the Poor-law, while they at the same time insisted on its amendment and modification. The hon. Member for Nottingham said that nothing could be more ridiculous than for any man merely for the sake of consistency to vote in favour of a measure of this kind if once he was honestly convinced it had failed. I readily allow that any man who could say, that although he was convinced that this law was expensive and obnoxious in its operation, and unsound in principle, yet that through a mere regard to consistency or party motives, or through a desire to take a more active part in public life, he would vote against the dictates of his conscience and give it his support,—I readily allow that such a man must be base indeed, and that such a course would be as unwise as it would be unjust. We should come to a decision on the question in accordance with our own conscientious convictions, and not from the influence of any clamour that might be raised against it. Nothing can be more easy than to raise a clamour against any particular law for the relief of the poor. I can conceive, with respect to persons in that condition of life which might possibly make them, under adverse circumstances, applicants for Poor-law relief, that an argument more calculated to excite their passions could not be used than that which had been used by the hon. Member for Nottingham. The hon. Member says that the blacks in Jamaica drive their gigs and drink their champagne. But the House must bear in mind that those blacks are now free labourers, and entitled to all the privileges of free subjects, and the mere circumstance of their colour being black makes no difference. Suppose that a portion of the blacks do drive their gigs and drink champagne,—and their number I presume must be limited,—still they must pay for these things, and they earn their money by the sweat of their brow. But the hon. Gentleman says (and I suppose him now addressing a collection of 5,000 persons),

> "True it is I cannot give you gigs to drive about in, or champagne to drink; but what amiserable law it is which prevents me giving you, not champagne, but the ancient, constitutional drink of the country—ale?"

The hon. Gentleman says, the law is to be impeached, because it does not give an adequate supply of the ancient constitutional beverage of the country to the poor. Now, it seems always to be assumed that there is a large existing fund applicable to the Poor-law relief; but whence is that fund derived? From taxation. On whom does the taxation fall? Let us never forget those who are a little elevated above pauperism, and who being fixed to their places cannot move—the small farmer, the retail shopkeeper, and the artisan, who determine to derive no relief from the Poor-law, because they are inspired with a love of independence, which we ought to cherish. These men support their families by the sweat of their brow; and they say, "We must contribute to the relief of the poor; but give us security that the money is not misapplied—give us security that it is not appropriated to the support of idleness; and when we cannot afford ale for our own families, we cannot find ale for those who won't work." A law that gives them that security is a just law. Let the House take the whole of the circumstances into consideration, and contrast the operation of the present law with the operation of the law under which the overseers supplied the means of maintenance to the poor, and, being bakers and dealers in flour and articles of subsistence charged, as I can show, 40 per cent. advance on the articles so supplied. I must say that the poor man, elevated above dependence, and struggling against the necessity of applying for Poor-law relief, but being bound to contribute towards the fund for the relief of the poor out of his scanty means, has a right to say "Let the accounts be fully examined; let the money be duly and properly applied, and let no overseer or parish-officer make use of this Poor-law system, not for the purpose of relieving the poor, but, as they carry the bag, for the purpose of putting their hands into the bag for their own benefit." But now it is proposed that, without substituting any other system, and without the proposition of any new law—for we are left in uncertainty as to whether or not we are to return to the old system, and as to the principles of any new system which the hon. Gentleman may deem it right to recommend,—we should agree to a resolution which implies that the existing law —though no particular parts of it are specified—is "not conformable with Christianity, sound policy, and the ancient constitution of this realm." I do hope that the House of Commons will be cautious how they pass a resolution specifying what is or what is not conformable with Christianity. This is a dangerous topic; and I hope that those who moot the question of the principle of the present law, or the substitution of another law, will content themselves with moving for the repeal of the law, without involving the House in a discussion on abstract questions. Above all, I trust with respect to a law which, as long as it continues in operation, ought to have the sanction and support of the Legislature, that this House will not, in consequence of vague resolutions like the present, offering no practical measure, do any act calculated to raise an outcry against the existing system, and to paralyze every man whose duty it is to administer the law, thereby leaving this country in the worst of all states as regard legislative measures, namely, with one system condemned and in operation, and no practical substitute proposed.

Mr. *Aglionby* said, in explanation, that he had risen for the purpose of preventing it being supposed that his vote on the present occasion would be in condemnation of the principles or some of the provisions of the present law. He conceived, that according to the forms of the House, there would be a division on the first resolution; and he would vote for it. Though he might not be called on to give any opinion with respect to the other resolutions, yet he was prepared to state that he rejected the second; but abided by the spirit of the third and fifth.

Lord *J. Manners* was convinced in his own mind that the rule of the New Poor-law was that pauperism was a stain and a crime. He might be told that it was the practice in most parts of the country to relieve paupers out of the workhouse, and this fact had been put very strongly forward by the right hon. Baronet the Home Secretary, and it was stated that out-door relief was so prevalent that the workhouse had become, in fact, a punishment rather to the vicious and idle, than to the industrious but unfortunate labourer. But he maintained that these cases were exceptions to the law, the general principle of the law being that relief should be prohibited, as far as possible out of the workhouse. He would only say that the workhouse test was, in his humble opinion, fraught with danger to a far greater degree than they could perceive. It had the effect of weakening the feelings of responsibility on the one hand, and of attachment and respect on the other. These were dangers which ought not to be disregarded, but he was bound to confess he did not agree in some of the statements of the hon. Member for Nottingham. He could not go along with that hon. Gentleman in speaking against the substitution of brown bread for white; for he had tasted the brown bread and thought it remarkably good bread. At the same time he should give his vote in support of the motion, in the hope that some measure would be produced to place the system of relief in the position in which it ought to be. Some Members had referred to the statute of Elizabeth, but he would go further back, and say that the administration of the funds for the maintenance of the poor ought to be in the hands of the Church.

Mr. *Muntz* felt no difficulty in supporting the motion of the hon. Member for Nottingham. Though the paper so much denounced might not have been the foundation of the Poor-law, yet the question with him was, "Is the new Poor-law a good or a bad law?" He had always opposed that law. It had always appeared very unjust to him for many reasons. In the first place, there could be no question that originally the intention was to prevent out-door relief, and that intention was carried into effect as long as the administrators of the law durst. He had it from the mouths of the parties themselves, that they could not carry the intention of the law, as respected the prevention of out door relief, into effect in large towns or populous places. In the second place he objected to the law because it made no distinction between honesty and crime. There was not a doubt that the right hon. Baronet (Sir R. Peel), was without exception the most correct man in that House. He was almost invariably correct; but on the present occasion he had not supported this character. The right hon. Baronet in attacking the hon. Member for Nottingham said that the House was called on to abandon the existing law, and to repeal it. Now, what he understood by the resolutions was, that they were called on to reconstruct the law, and they needed not to abandon the present law until the new one was constructed. And what law was proposed to be constructed? One that should be "in conformity with Christianity, sound policy, and the ancient constitution of this realm." What evil could arise to the state, if such principles were to be the groundwork of their legislation? He believed that such principles were not the groundwork of the existing law. This was fully and entirely believed by the poor themselves. During the late unfortunate disturbances he had had an opportunity of judging what were the feelings of the people with respect to the existing law, and he did not hesitate to say that a great portion of those disturbances was caused by the ill feeling arising from the working of the new Poor-law bill. He had calmly conversed with many of the people on the subject of their complaints, and almost every one said that "he had no resources—that he could not obtain a fair remuneration for his labour; and, let his conduct be ever so good, only one course was left him, namely, to sever from every tie that was dear to him on earth, and go into the workhouse and be made a prisoner for life." He was sure that the Poor-law was a great cause of dissatisfaction, not only against the Government, but against that House. He was certain that unless the law was made in conformity with Christianity, sound policy, and the ancient constitution of the realm, it would eventually put an end to the present Government, as it had done to the last.

Sir *W. James* wished that the hon. Member for Nottingham would put the last resolution, which contained the sum and substance of the motion, to the vote, and not the preceding resolutions. If he were asked to vote for the five resolutions in a body, he did feel that the reasoning of the right hon. Baronets (Sir J. Graham and Sir R. Peel) was so clear and decisive on the matter, that he should, entirely agreeing with the hon. Member for the West Riding of York, be obliged at all events, to walk out of the House before the division took place. They were asked with respect to a document, which bore on its face the impression of being a confidential communication to the Cabinet, to declare that the recommendations contained therein formed "the real, though unavowed basis," of a measure of great importance. For the House to take such a course would be fraught with danger to the well-being of the country; and it would be assuming besides an untenable position, as the right hon. Baronet the Home Secretary had assured the House that the recommendations in question had been rejected by the Government. He disapproved of the words "real, though unavowed," because it seemed to charge the Government with manifest insincerity. He was sure that the right hon. Baronet at the head of the Government would not hesitate to avow the real principles of any measure which he thought fit to bring before the House. He considered that the resolutions contained a good deal of claptrap. He disliked many of the provisions, and was opposed to the principle of the New Poor-law; but he did not think that any reason why he should turn democrat or make use of language which he considered to be of a dangerous tendency, and speak of "the substitution of punishment for legal relief." The hon. Member for Newark said he was induced, by the state of the country, to support the present motion, and that was the very reason why he should be anxious not to vote for the first four resolutions. If the last resolution were put to the vote by itself, he did not see how he could oppose it, but he could not support the first four resolutions. He confessed that he was not the more inclined to support them, when he had regard to the language used by the hon. Gentleman who had brought forward the motion. He had given a description of the boards of guardians—he had spoken of the guardians as "covering while they devoured their prey;" and yet, in another part of his speech, the hon Member said in some instances those guardians travelled, some fifteen, others twenty miles to attend the boards, and to give their best attention and consideration to the state of the poor. He thought it most unjust for the hon. Member to give such a description of the gentlemen of England as to say they attended to the New Poor-law in the first instance in order to give it a little *éclat*. Then, again, the hon. Member had compared the union-houses to the horrors of the middle passage. This was a gross exaggeration. There were, it was true, a great many regulations in the union workhouses which might well be objected to, but to compare them with the horrors of the middle passage, which had been described by the late Mr. Wilberforce and by Sir F. Buxton, was beyond reason and contrary to common sense. He confessed he did not like the mode in which the motion had been brought forward by the hon. Member for Nottingham. With respect to the law itself, he did not think the question would ever be set at rest until a good system of out-door relief was sanctioned by law. With one part of the speech of his right hon. Friend the First Lord of the Treasury, he owned he was much surprised. His right hon. Friend had said that the workhouse test was not an essential part of the present law. Now certainly every means had been tried to carry out that principle, and he did not think that any Member of the Cabinet of Earl Grey would have made such an admission as that which his right hon. Friend had made to-night. At the same time he was very glad to hear that admission, as it shewed at least that his right hon. Friend was not prepared to act on that principle. With regard to the Commissioners—a main point in the present law—he must say that he very much regretted the language those gentlemen had in many instances made use of. He would not quote as the hon. Member for Nottingham had done, from a document of a doubtful character, but from a report made by the Commissioners and published in the year 1840. In page 7 of that report he found—

> "The attempts which are constantly made to evade the law by indirect means whenever there is a possibility of doing so (as by voluntary rates, &c.,) confirm us in this opinion, viz., that all old abuses would creep in again if the Poor Law Commission were abolished. The only remains of it (relief to men in work and in aid of wages) are to be found in certain irregular practices, to which, if they were not occasionally suggested by erroneous motives of

humanity, we should give the appellation of fraudulent. We allude to attempts through private subscriptions, by which funds have been raised to be doled out, like the poor rates, in weekly allowances to all labourers having more than three or four children."

Though the word "dole" might be applied only to money, yet he held that there was in point of principle no difference between money and money's worth, and the effect of the recommendation here put forth would be, if it were carried out, to put a stop to all those charities which, much to the credit of the country, prevailed in so many parishes throughout the kingdom. In a parish in which he had lately resided in the county of Kent there was a charity, kept up by subscription, for the purpose of giving coals to the poor at a diminished price; in other instances flour and other necessaries were supplied in the same way; but according to the principle set forth in the extract he had read, all such things must cease, or be designated by the appellation of fraudulent. Now, it could not be expected when the Poor-law Commissioners made use of such language, that they should be popular in the country. He repeated, that he was very glad to hear, not only that the workhouse test was not an essential part of the present law, but also the admission that the Commissioners had made use of indiscreet language, and he hoped that in any measure which might be introduced in the course of this Session, the House and the country would see a permanent and effectual change. He did not wish longer to detain the House, as the principles upon which he should vote on the present occasion had been so well laid down by his hon. Friend, the Member for the West Riding of Yorkshire. If the hon. Member for Nottingham would content himself, with putting the fifth resolution to the House, he should feel bound to vote for it, but the four previous resolutions he could not support.

Sir *R. Peel* observed, that his hon. Friend had misunderstood him, when he supposed that he had stated that the workhouse test was no test in the present law. What he had said was, that the workhouse test was not introduced by the present law for the first time as the test of poverty, for it had been the test adopted 150 years ago, when the 9th of George I. made the workhouse the test instead of the labour test.

Mr. *Ferrand*, on rising to address the House upon a question on which he had long taken a deep interest, begged in the first place to offer his sincere thanks to the hon. Member for Nottingham, for having brought to light what he (Mr. Ferrand) considered to be the foulest conspiracy ever entered into in the dark against the rights, liberties, and privileges of the poor. It was now twelve years since he (Mr. Ferrand) had first taken part in public affairs; and on this question, he had often received advice from the public speeches of the hon. Member, which had cheered him on in the course he had pursued in opposing by every constitutional means in his power this law, and little did he then think that he should have the honour and the privilege of sitting beside his hon. Friend, when he gave, as he had that night given, the death-blow to the New Poor-law. He deeply regretted the speech which the right hon. Baronet at the head of the Government had made that evening. He did not think that the right hon. Baronet had acted fairly to the hon. and learned Member for Cockermouth. The right hon. Baronet saw a rising spirit of independence flowing into the hon. and learned Member's breast; he saw that the hon. and learned Member was actuated by no party spirit, and the right hon. Baronet was afraid lest the independence the hon. and learned Member had shown, should become contagious on both sides of the House; and that if the feelings which actuated the hon. and learned Member to stand up in the independent manner he had done should be acted upon on both sides, the Government would be in a minority on the present occasion. But what had been the remarks of the right hon. Baronet the Secretary for the Home Department towards the hon. Member for Nottingham? The right hon. Baronet said, this was a private document, only intended for the eyes of the late Government, of which he had been a Member. He (Mr. Ferrand) wished the right hon. Baronet had remained connected with the right hon. Baronet's friends of the late Government, and then Conservative principles would have stood much higher in the eyes of the people than they did at present. The right hon. Baronet had taunted his hon. Friend the Member for Nottingham with a breach of confidence. He contended that his hon. Friend had only discharged a public duty. He had found out and dragged to light a document which, without any breach of confidence on his part, he found placed amongst his papers—he cast his eyes upon it, and said to himself, "Now I will bring before the eyes of the people of England this monstrous system of oppression." And how had the right hon. Baronet himself acted the other night, when he moved for a return of two letters which emanated from certain manufacturers when the New Poor-law was under consideration, and on which they entered into an express and declared agreement with Mr. Chadwick, the Secretary to the Poor-law Commissioners, that if they only framed the New Poor-law in such a manner as to throw a large portion of the working classes of the south into the north—that if they were able "to absorb" the surplus population of the south into the manufacturing districts of the north of England. It would enable them, the manufacturers, to reduce the price of labour in the north of England and to put a stop to the outbreaks for raising wages? [Mr. *Wallace:* Who said that?] The letters of Mr. Ashworth and Mr. Greg; they were in the first report of the Poor-law Commissioners. The words he had often quoted before, and no man had ever denied the truth of the quotation. Now, at that very time a committee of the House was sitting, to inquire into the then condition of the hand-loom weavers, and it was proved before that committee that the hand-loom weavers were then struggling for existence upon ten farthings a day. But what had the right hon. Baronet said with respect to these two letters? Why, he said, they were private communications—that the first letter of Mr. Ashworth was on the file of the Poor-law Commissioners, but that the letter of Mr. Greg could not be found. They were, he added, private communications, which were never intended to see daylight, but that he had no objection to produce Mr. Ashworth's letter, and lay it on the Table of the House. Now, what was the difference between the conduct of the right hon. Baronet in placing that letter, which he said was of a private nature, and never intended to see the daylight, on the Table of the House, and in that of his hon. Friend the Member for Nottingham, who, finding a paper which had been submitted to the Government, brought it before the House? This was said by the right hon. Baronet to be a breach of confidence—he maintained there was no breach of confidence except on the part of the right hon. Baronet himself. The right hon. Baronet had expressly stated, that the letter written by Mr. Ashworth to the Secretary of the Poor-law Commissioners was a private communication, and now he begged to ask the right hon. Baronet the First Lord of the Treasury (who had always shown an earnest anxiety to prevent the slightest attempt to conceal public documents) if there was any necessity to keep back Mr. Greg's letter? It was said not to be on the file. Why was it not on the file? Let the Government say at once that it would be inconvenient to produce it because there were expressions in that letter which ought not to appear before the public. Such he understood from the hon. Member for Oldham to be the case, but at all events it was the duty of the Government to make a strict and searching inquiry as to the reasons and means used to prevent the production of that letter. He now came to the question of the working of the Poor-law in the North of England. And what had been its effects there? It happened that amongst the letters contained in the first report of the Poor-law Commissioners there was one from Mr. Ashworth in which he told Mr. Chadwick that it would be desirable that 20,000 labourers should be sent from the south down to Staleybridge. Now, the inspector of factories for that district had, within the last few days, forwarded his report to her Majesty's Secretary of State for the Home Department, and in it what did they find there proved to be the state at present of Staleybridge—the district into which Mr. Chadwick, with the consent, and at the request of those cotton-spinners and through the agency of Dr. Kay—who, for the part he had taken in securing the election of Mr. P. Thompson at Manchester, had been made a Poor-law Commissioner, and who, in a pamphlet, had described the working population of Manchester and its neighbourhood to be, at that moment, in a state of starvation—had induced tens of thousands of the population of the south to go into the manufacturing districts of the north? He wished the manner in which these wretched poor had been kidnapped and sold into a state of slavery, and brought to a speedy death, could be exposed to the House. But with respect to Staleybridge, and its neighbourhood, he found the following statement made by Mr. Horner, the factory inspector, in his last report:—

> "The population of the three adjoining towns of Ashton, Dukenfield and Staleybridge included, with an area of a mile and a half radius from the most central part of the district, is considered to be not less than 55,000; and the proportion of the working population, that is, those below the rank of shopkeepers, has been estimated at 80 per cent. in Ashton, 90 in Staleybridge, and 94 in Dukenfield. This dense population has been brought together chiefly by the extension of the cotton manufacture within a very short period. The population of the borough of Ashton and township of Dukenfield together was in 1821, 14,318; in 1831, 29,352; and in 1841, 45,074. I am unable to give the exact numbers for the whole district, because Staleybridge is partly in Lancashire and partly in Cheshire, but the increase there has probably been in a similar ratio."

Now, he asked the House to listen to what followed:—

> "How little the moral and religious improvement of the large number of the humbler classes has been hitherto an object of solicitude, the following facts will show;—In the borough of Ashton, with a population of 25,000, there is no national school, no school of the British and Foreign School Society, nor any other public day-school for the children of the working classes. The same is the case at Staleybridge and Dukenfield, with the slight exception I shall now state. I mentioned in the report above referred to that a national school had recently been built at Staleybridge, but, I regret to say, it is not yet in operation."

Now this Dr. Kay, who, by the by, held also the situation of secretary to the Education Board, was the agent employed by Mr. Chadwick, and the Poor-law Commissioners to carry down 20,000 southern labourers to a place where there was not an atom of chance of their receiving the slightest education. Now, was not this something serious and alarming—namely, that for the purpose of carrying out the New Poor-law it was necessary to absorb the population of the south into the north? Where did hon. Members think that the first outbreaks took place? Why, at Staleybridge, where there was a population whose minds, from their sufferings, were easily excited by men having deeper designs, but who had not the courage to show their faces, and who left their victims to appear at the bar of justice, and pass thence to transportation, while they slunk away into the dark. He maintained that the origin of the outbreak was the iniquitous, atrocious, bloodthirsty Poor-law. But for that law, the population of the north of England would not have had their market for labour entrenched upon by the introduction of tens of thousands of the masses of the south, and they would have had some chance of earning a subsistence by a fair price for their labour, if they had not been robbed of it under the operation of the New Poor-law. He found the other evening that the hon. Member for Manchester thought proper to deny some statements he had made with respect to the treatment of children employed in a mill belonging to a cotton-spinner in Lancashire. The hon. Member said, he had stated things which were without foundation. He had told the House that there were certain Poor-law unions where the overseers handed over the orphans under their care and protection to employers without inquiring into the mode of treatment to which they would be exposed. He had stated the circumstance upon authority on which he knew he could place reliance—he had learned it from persons of unquestionable veracity; and, although the matter had been denied by the hon. Member for Manchester, he knew very well that the hour was not far distant when he would receive an authority backed either by persons who had beheld those scenes of cruelty, or who were prepared to prove every word which he had uttered. No sooner had the speech of the hon. Member for Manchester reached that town than the representatives of the working classes, who advocate the Ten-hours Factory Bill, met and passed resolutions, which as they related to himself he would not now read. But he had received a letter from one of the body, Mr. Doherty, which corroborated all he had said. He trusted the House would allow him to read that letter. Year after year these poor girls were kept in a state of slavery; but at last human nature could bear it no longer, they burst from the chains of the manufacturer, and ran away to their parents. And what was their punishment?

> "He (Mr. Doherty) saw the room in which these girls were confined; the light was completely excluded; they were not allowed either fire, light, or bed, and their usual allowance of food was considerably diminished. Their hair was cut off, and their confinement lasted for several days. During the confinement of Esther Price several of her fellow-apprentices mitigated the rigour of her punishment, by putting in through the crevices of the wainscoting which

separated this room from the adjoining apartment portions of their own rations, as well as cloaks, &c. to cover her by night. On the Friday afternoon the matron died, and the remains lay in the next room to that in which the poor girl was confined. When she heard this, she was driven almost frantic with fright. On the following day, when refreshments were brought her, she rushed out of the room, and told the person having her in charge that she would not, under any circumstances pass another night in that apartment. The man said, 'Well, Esther, if you pledge yourself not to be seen, I shall say nothing about it, but you know, if you are seen, it is as much as my place is worth.'"

These children were placed in that man's power under the operation of the New Poor Law. It was from the union workhouses that this man was supplied with these apprentices, and he would ask the right hon. Baronet whether, in a civilized country, the people of England would long allow these things to exist, and whether the working classes owed allegiance to the Government, if, on these circumstances being brought to its knowledge, it did not immediately take steps to put a stop to such proceedings? There was another instance of ill-treatment of the poor which he had alluded to the other evening, when he had moved for certain returns relative to the operation of the New Poor-law. He had stated that in the month of May, 1842, there were a number of people sent from the Skipton union workhouse to a man named Threlfall, a mill-owner at Halifax. He had asked the right hon. Baronet the Secretary of State for the Home Department, if there was any communication extant between the Poor-law Commissioners and that mill-owner? The right hon. Baronet had replied, that there was no statement or correspondence whatever in the office of the Poor-law Commissioners on this subject. After that, he had asked the right hon. Baronet if he would cause an inquiry to be made in the office of the Secretary of State for the Home Department whether there were any such communication, as to him, in his high office, the poor must look for protection if their rights and privileges were invaded. That right hon. Baronet had informed him that there was not any such communication. With the permission of the House he would read a statement connected with the transportation of these people from the Skipton union workhouses to this mill:—

"Sir,—I thank you for the attention you have paid to the subject of my letter, and for your kind communication. It was Skipton union workhouse from which the hands were brought to Threlfall's mill. The precise number cannot now be ascertained, but, as far as I can learn, there would be about twenty; four of those were so lame that they could not walk between Skipton and Addingham, a distance only of six miles, so they were brought in Threlfall's tax-cart; also one was very much deranged in her mental faculties. These were all females. The name of the poor idiot was Hannah Cockshot. I regret that I am unable to give you the names of the four cripples. One of them, whose name is Elizabeth Townend, was so lame, that she was unfit for any employment, much less to stand twelve hours a-day in a factory. After her day's work she was scarcely able to walk to her lodgings. Thus are the poor creatures conveyed, like subjects for dissection, from the union workhouse to the factory to be experimented upon by the manufacturers. These facts are well known to many in Addingham; but, if you Sir, do not think them sufficiently authenticated to warrant an exposure in the senate-house of Britain, I hope you will at least make the world acquainted with those facts which have been proved before you in a court of justice. Alice Morrill is so far convalescent as to be able partially to resume her employment."

Now, here he would ask what chance there was for protection for these poor people? The father of Alice Morrill declined to make any statement, as he was an overlooker in Mr. Threlfall's mill. There was another instance of the cruelties practised under this New Poor-law, and it discovered the secret motives that had influenced the first proposers of this law—of the Ashworths and the Gregs, when they wrote their letters and did their utmost to urge forward the law, and to get into their districts the population of the south to beat down the wages of the labourers, of their own work-people. The work-people of Mr. Threlfall were so badly paid, and so ill used and over-worked, that they had struck for wages; and for the purpose of enabling him to carry on his mill, he applied to the Skipton workhouse, whence were forwarded to him twenty hands; and these poor people were obliged to work for the wages he chose to give them. The hon. Members for Bolton and Manchester had warned the House against his statements unless authenticated. They had insinuated, as usual, that it would be desirable that the House and the country should not listen to what he said, unless it were fully proved before the House. He little thought that on the following morning the report of the factory inspectors would be placed in his hands. Since then hon. Members of that House had gone to him, and said,—"Why you understated the conduct of the manufacturers in the north of England. When the Secretary of State for the Home Department chided you for having used the expression 'monsters in human shape,' you did not to the extent to which you were justified express your abhorrence of their conduct." He would ask the Secretary of State for the Home Department, whether he felt it his duty to inquire whether the guardians of the Skipton union had placed in the power of this manufacturer twenty hands for his mill, three or four of whom were cripples unable to walk, and one of them an idiot? He was about to read an extract from the report of the inspectors of factories for the half-year ending the 31st of December, 1842. It was rather long, but he trusted the House would bear with it; and he would ask the House to rescue the masses of the people from the oppression and plunder inflicted upon them, for their burthen was too heavy to be borne. This was the report of Mr. Saunders, and was dated the 25th of January, 1843—the last report.

"I was about to prepare my report for the last quarter in the early part of the month, when I received notice of one of the most gross and oppressive violations of the law, during the week ending the 25th ultimo, that has occured to my knowledge since the Factory Act was passed. This induced me to delay my report, in order to wait the result of a careful investigation of the circumstances relating to that offence, and the adjudication of any complaints which might be preferred against the offenders. The investigation was very efficiently conducted by Mr. Baker, the superintendent."

He would here beg leave to bear his testimony to the conduct of Mr. Baker, for he never saw a man conduct himself with more justice to the parties concerned.

"And I regret to say the wilful and deliberate overworking of various young persons, both boys and girls, but chiefly the latter, between the ages of fourteen and eighteen, was clearly established. This occurred at a mill at Addingham, in Yorkshire, which has only been occupied a few months, in cotton-spinning, by the firm of Messrs. Seed and Co., of which a Mr. William Threlfall is the managing partner. The mill was at work from six o'clock on Thursday morning, the 22d ult., until twelve o'clock the same night, which (allowing two hours for meal-time) was an employment for sixteen hours of the several persons detained between those periods, some of them being under eighteen years of age. This was, however, comparatively a slight offence to what followed. The mill commenced working again the next morning, Friday, the 23d, and the machinery continued running from that time, with only some short intervals for meals, during the whole of Friday night, the whole of Saturday, and until three o'clock on Sunday morning (Christmas-day), a period of forty-five hours."

Now these twenty paupers were placed in the power of this "monster in human shape," and he asked the right hon. Baronet would he make an inquiry into this statement? The right hon. Baronet must, or place himself in the position to be called on to resign his office.

"There can be no doubt, the report continued, but that some of the hands under eighteen years of age were present during the whole of this excessively long period; but this point was not proved in the cases selected for the prosecution, because it was necessary, in order to obtain more than one penalty, to lay distinct informations for the wrong employment of different young persons for each separate day. It was, however, proved, that girls of fourteen had been kept to work from seven o'clock on Friday evening, the 23d, during all the night, the next day, and through Saturday night, until three a.m. on Sunday, the 25th,—a period of thirty-two hours; the same persons having been worked on the previous day (Thursday) till twelve at night, and again for part of the Friday forenoon. Such conduct towards young and tender females, who cannot be deemed free agents, merited, in my opinion, the heaviest penalties which the law imposed for such offences; and I felt myself fully justified in sanctioning Mr. Baker's arrangement of his complaints in such a manner as to afford the magistrates an opportunity of awarding a punishment in some degree commensurate with the offence. The offenders were convicted on seven different informations, six of which the magistrates deemed so serious as to demand severally the full penalty of 20*l.*; and the other offence was punished by a payment of 5*l.*"

Now, he would call the attention of the right hon. Baronet the Secretary of State for the Home Department to what was now doing by this millowner. He was trying to avoid these penalties; he was getting up a petition to the right hon. Baronet to be relieved from them, and that petition had been already signed by one magistrate who was a part-owner of that mill. He knew that Mr. Threlfall would apply in vain to the right hon. Baronet. He knew, that so far as money could make this monster pay for his atrocities, he must pay the whole amount of the fines imposed upon him, but how trifling was their amount when they looked at the insult he had inflicted on humanity! But, listen again to what this inspector said—

> "No defence was attempted, except the often-repeated one of being pressed to complete an order for shipment, the profits of which would have been lost if they had not undertaken to supply the whole quantity required. The magistrates would not entertain this plea as affording any justification for so gross an abuse of the power an employer can exercise over the operatives in a district where labour is redundant. I regret to say the mill-occupiers do not stand alone responsible for this cruelty towards the young females."

No; the parents had been driven by the surplus labour of the south to work their own offspring to death for existence.

> "It was proved that a parent had not merely consented to sacrifice the physical powers of his child for money, but obliged his tender girl to exert herself to the last. During the period the mill was at work, some of the girls were obliged to withdraw, from physical inability to work longer. The parent of one young woman, about 19 years of age, was determined to brave the punishment consequent upon opposing the will of the master—viz., dismissal from work for the future. He proceeded at four o'clock on Saturday afternoon to the mill, fortunately obtained access to the room where his girl had been working from five o'clock on Friday morning, and insisted on withdrawing her. He ultimately succeeded, but not, as he informs me, until both the managing partner, Mr. Threlfall, and his son, had endeavoured forcibly to remove him from the premises. This and the other cases of overwork which have occurred within the last two years in the Bradford district must surely convince the most sceptical of the absolute necessity of a strong law to protect the labouring class in these districts; and the officer employed may reasonably deem such cases as indicating what is to be expected among a certain class of mills under a more active state of trade."

There was not a Member in the House, he did not care to what party he might belong, who could have heard this statement, and who would not blush for the honour of his country. There never was, he would venture to say, in the history of England so disgraceful a piece of conduct dragged to public light in the House of Commons by a Member against a man who had the power of inflicting such horrors on his fellow-countrymen. The New Poor-law had placed this power in that man's hands. He had lost that power over the people in the neighbourhood of his mill. [Sir *R. Peel smiled.*] The right hon. Baronet smiled! From plundering and persecuting to death the working classes in the neighbourhood of his mill the working classes had struck against him; they had refused to be any longer his slaves; his mill stood still. He was enabled to provide the means once more of working it; and where did he find this? Under the New Poor-law. He applied to the Skipton workhouse, and they supplied him with twenty hands. He would ask the right hon. Baronet where those twenty hands now were? The right hon. Baronet had a heart, he knew, within his breast to which the cries of these poor wretches would not plead in vain. He had stated some of the consequences of this New Poor-law upon the masses in the north of England. If the House would allow him he would state what was the conduct of the Assistant Poor-law Commissioners in the administration of this law; and in doing so, he doubted not that the First Lord of the Treasury would render an act of justice to him as well as to the parishioners of the township where he lived, when he had explained the scandalous conduct of the Assistant Poor-law Commissioners. During the discussion of the New Poor-law in that House hon. Members would remember with what glee the right hon. Baronet the First Lord of the Treasury had opened the red box before him and dragged out a statement from Mr. Mott. Paragraph after paragraph he read, bringing charges the most untrue against the Keighley board of guardians. He had sat perfectly composed behind him, feeling that he should have very little difficulty to prove to his conviction that the statements made by Mr. Mott were untrue, and contradictions had passed between the right hon. Baronet and himself. This had ended in a challenge on the part of the right hon. Baronet to him to move for a committee of inquiry, when the gallant Commodore the Member for Marylebone, always ready for the fight, gave notice of a motion for a committee of inquiry, and he understood that the gallant Officer had brandished his stick above his head on leaving the House, and said, "He had caught the hon. Member for Knaresborough in a trap at last."

That inquiry had taken place, and so convinced was he that he could disprove the statements of Mr. Mott that he had assented to the Members of the committee proposed by the right hon. Baronet the First Lord of the Treasury at once; for he was convinced that half-a-dozen witnesses connected with the Keighley Union would prove every word of Mr. Mott's statement to be false. The committee had been moved for and appointed. The next day when he came to the House an hon. Member had said to him—

"Why, you foolish fellow, you have agreed to a packed committee; they will report against you."

He had replied, he did not care what sort of a committee there was, the witnesses would prove the truth. Two magistrates, both Whigs, who had taken an active part in the forwarding of the measure, and who were strenuous supporters of the New Poor-law, legal and medical officers connected with the union, had been examined as witnesses, and every one of them, without exception, had declared that Mr. Mott's report was untrue. The committee had reported that—

"Mr. Mott's report was borne out in its most important allegations."

He regretted that there should have been an attempt in that committee to whitewash that public officer. Let any man read the evidence given before that committee; the hon. Member for Finsbury sat on it, and would bear him out in what he stated, and he would be convinced that the evidence was opposed to the report. The committee had reported that Mr. Mott's statement was true. Mr. Mott, in his report, amonst other things, said,—

"23rd. April, 1842. I attended a meeting of the board of guardians of the Keighley Union on Wednesday, the 13th instant, and I regret to have to report to your board, that the proceedings of the guardians are very unsatisfactory; in short, they are entirely at variance with the provisions of the law, and the directions of your board."

He had put it to the proof in that committee, upon the evidence of every witness, each of whom had proved that no instructions whatever had been received from the Poor-law Commissioners, except the original instructions, and that therefore the board of guardians had acted in direct accordance with the original instructions; but the committee had come to a vote against the evidence. He must tell the House, however, that the gallant Commodore (Sir C. Napier) had voted by mistake, that his opinion was not

"That Mr. Mott's report was borne out in all its most important allegations by the evidence of the witnesses who had come forward to impugn it."

And when he had found out that this was the case he had protested against his vote being recorded; but this opinion of the committee had gone forth to the world as the conviction of the hon. and gallant Commodore. But he was not a man to be put down by the whitewashing system. He came to the House and he told the House that justice had not been done; that the public had been put to great expense for the purpose of coming at the truth, and that he still would seek for it in that House. He was informed, that opposition was to be made to a motion of which he had given notice for a return of certain papers relative to this question; but the right hon. Baronet the First Lord of the Treasury, with that straightforward manliness of conduct for which he had always given him credit, said he would not allow it—that the papers should be granted. There had been a driving down of the Members of that committee to oppose his motion; but the right hon. Baronet had said, that the papers should be granted. And what had he moved for by way of coming at the truth? He had moved for

"Copy of all orders which have been issued by the Poor-law Commissioners of Somerset-house to the board of guardians in the Keighley Union since the formation of the same, in 1838, up to the 13th day of April, 1842; also, copy of all reports upon the proceedings of the board, and complaints thereon during that period, which have been made by the assistant Poor-law Commissioners Mr. Power and Mr. Mott to the Poor-law Commissioners; also, a statement of the particular instances in which the said board of guardians have acted contrary to the directions of the Central Board at Somerset-house; also, return of the number of times the said assistant Poor-law Commissioners, Mr. Power and Mr. Mott, have visited the said board and the poor-houses of Keighley and Bingley, and the dates thereof; also, a return of the reports they have made on the said poor-houses; and of the number of inmates within the same on the formation of the union, and on the 1st day of June, 1842."

Now, what did the House think the return had been after the committee of the House had reported in exact opposition to the evidence of every witness that had been examined before them, of all political parties, both for and against the law, that Mr. Mott had stated what was untrue? The commissioners had sent this return to the House of Commons :—

> "That it did not appear that Mr. Mott had made any report on the 30th of April, 1842,"

which had been brought out of the box of the right hon. Baronet for the purpose of putting him (Mr. Ferrand) down in the House ;—

> "And that the commissioners had not any written evidence to show in what spirit the said Keighley board of guardians had acted."

Now, he would ask the House to listen to what was the conduct of Mr. Mott and the Poor-law Commissioners. A committee of that House had been appointed to inquire into the truth of his allegations; the committee declared that they were true, and this was the return of the Poor-law Commissioners of Somerset-house! Was this the way the Poor-law Commissioners were to treat that House? Were they to gratify private feeling to draw up a statement which was false from beginning to end, and then, when put to the test of truth, were they to come forward, and deliberately declare that such statements had not been made? But he would ask, where was Mr. Mott now? What had become of him? The country had been told, that he was dismissed from office. Had he been dismissed on account of his conduct on this question? His (Mr. Ferrand's) firm conviction was, that he had had notice that if he did not choose to resign, he would be dismissed for this very conduct. Now, one word with the right hon. Baronet the First Lord of the Treasury; and if that right hon. Baronet would give him his kind attention for one minute, he thought he could convince him that he was in honour bound to do him an act of justice. The right hon. Baronet quoted from the Poor-law Commissioners' report, which he drew from his red box; and when he did so, he turned round and looked at him (Mr. Ferrand) a Member of that House anxious to do his duty according to the best of his ability, and said, "Let the hon. Member, instead of babbling about green fields and all such trash, go down into his own neighbourhood, and inquire into the state of the workhouse there." And the hon. Member for Halifax shouted out, "Within three quarters of a mile of his own house." He (Mr. Ferrand) assented that it was so; and how loudly was the right hon. Baronet cheered by certain hon. Members opposite, who gloried in seeing him put down by the first Minister of the Crown. But at the same time he felt conscious that all the horrible scenes described by the right hon. Baronet, and horrible they were, could not have taken place; and he said, that it was a disgrace to the country that Poor-law Commissioners, for party purposes, should so deceive the right hon. Baronet. He was also determined to test the truth of the assertions of Mr. Power, as well as to justify himself in the sight of the right hon. Baronet and of the House; and to show, therefore, that they were not such monsters in the parish of Bingley before the Poor-law, as to compel the living to companion with the dead, or to sleep four in a bed—and oh, how eloquently did the right hon. Baronet describe those horrors! He (Mr. Ferrand) moved that there be laid upon the Table of the House returns of the numbers of times the assistant-commissioners Power and Mott had visited the boards of guardians of which the right hon. Baronet had spoken, of how many reports they had made concerning them, and of the number of inmates in the union from the first day of its formation to the year 1842. Well, what was the fact? Why, that previous to that report not one single commissioner had visited the poor-house from the time of the formation of the union! But if there were evils in that poor-house now, who was to blame? It was placed under the entire control of the Poor-law Commissioners and their assistant-commissioners. The guardians and parishioners durst not interfere; if they did, they would act illegally. They were bound down in the strictest manner by the blessed New Poor-law. But what was the treatment of the poor there under the old law, and what was it under the new? The number of inmates in the poor-house of Bingley, at the formation of the union, was twelve; not enough to fill all the beds. Would the right hon. Baronet believe that, under the new law, the number had increased to fifty-six? And that crowded state of the House was under the sanction of the Poor-law Commissioners themselves; for their directions to the board of guardians were that the poor should be crowded into that building, including the poor belonging to two other townships in that union. He would, therefore, ask the right hon. Baronet, not as a matter of favour, but as a matter of right, did he not think he was bound to give some explanation of the attack which the right hon. Baronet made upon him on a former occasion? As long as the rate-payers had the management of the poor in his union, they took care, that the living did not companion with the dead; they treated the poor with mercy and with justice, allowing them the enjoyment of everything they had a right to expect by the laws of England, and what, by the laws of God, they had a right to demand, in a land professing to be Christians, and to be influenced by the precepts of the Bible. He wished to bring under the notice of the House the dreadful state of the north of England in consequence of the operation of the New Poor-law; and when he read a description of the condition of Huddersfield, he thought that hon. Members connected with the agricultural interest would say to themselves, "It is high time for us to place our houses in order, for the New Poor-law will soon operate in the same manner upon us."—

"At the Guildhall, Huddersfield, on Tuesday last, January 31, the overseers of no fewer than nine townships that were in arrears with the payment of the calls of the board of guardians appeared to answer to summonses which had been issued against them by order of the board of guardians. The following is the list of the differences. Golcar, 34*l.* 2*s.*, old arrears, besides the last call of 200*l.*; Cumberworth arrears, 20*l.*—call 60*l.*; Cumberworth half-arrears, 20*l.*—call 70*l.*; Shelly arrears, 20*l.*—call, 80*l.*; Thurstonland arrears, 60*l.*—call, 90*l.*; Linthwaite arrears, 95*l.*—call 100*l.*; Whitley (Upper) arrears, 53*l.* 10*s.* 6*d.*—call, 70*l.*; Scammoden arrears, 27*l.*—call, 100*l.*; Kirkheaton arrears, 52*l.* — call, 300*l.* The first four of these cases were arranged with Mr. Floyd, the clerk of the board; in the other five cases the overseers were convicted in penalties for the neglect. Mr. Heaton, the overseer of the last-named township, told the magistrates that it was absolutely impossible to get the rates collected, as the people were so very, very poor; and that within the last fortnight he had taken out no less than 120 summonses, and that last week he was compelled to take out 16 warrants of distress for the rate, which they were unable to pay."

He would ask, then, was not the Huddersfield Union in a state of insolvency, when 156 summonses were issued against poor persons who had not the means of earning their daily bread, which they would if they could, and sixteen distress warrants were served upon men who had committed no offence, who had not one halfpenny to help themselves with, whose furniture was gone, whose houses were stripped, who were sold up, who had become houseless wanderers, and were reduced to a state of misery qualifying them to be admitted as inmates of the workhouse? But the Poor-law Commissioners had lately discovered a new light, in the person of a Mr. Clements, whom they had sent down in the place of Mr. Mott; and the manner in which he had treated the guardians was such as to raise the blood of any man of honourable and right feelings. The insolent and overbearing manner in which that person treated those who had grown grey in the service of the poor—respectable men, members of boards of guardians for years—telling them that they were ignorant of their duty, and that through them the country was being eaten up by the poor, was almost unendurable. This Mr. Clements had told them, that he went down to set them to rights. And how did he propose to do that? By cutting through a hill. He had gone to Bradford and Halifax, and told the guardians, that they must compel the workings classes, who had not the means of earning their daily bread in their own honest manner, to cut down a hill, and if it were four or five miles away from their homes, so much the better—it would give them more exercise. That was the behaviour of that —what should he call him?—that Assistant Poor-law Commissioner — he could call him nothing worse. The guardians inquired what was to be done after the task was accomplished? Must they find another hill? "Oh, no," said he, "let them put the earth back again." Such were some of the effects of the new law, but not all. Parishes were rapidly becoming insolvent; the land was already eaten up by the poor-rates. In his parish they had more than doubled, or increased to the extent of 300*l.* over that, since the year 1836; and in twelve months more, the rental of the small farmers in the parish would be wholly consumed. He would ask the right hon. Baronet, was that the method to be pursued, to relieve the country from pauperism? If such was the state of things in the north, where the people had manufactures to enable them in any measure to bear up under the new law, what would be the result in the agricultural districts, where the profits on the growth of corn were reduced, and the wages of the agricultural labourers diminished in proportion? Thanking the House for the indulgence he had received, he would now conclude by declaring his intention to support the resolutions.

Mr. *S. Crawford* said, he rose to give his cordial support to the resolutions proposed by the hon Member for Nottingham. He did not desire to shelter himself under any particular mode in which the question might be put; he was prepared to support the whole of the resolutions of the hon. Member, and to sustain the allegations contained in them. The first resolution contained a statement that a certain document was in existence, which was not denied by her Majesty's Government; neither was it denied that the document contained certain matters set forth in the resolution. The second resolution stated,

> "That these recommendations, applicable alike to every class of the poor, and enjoining an indiscriminate reduction of their physical comforts to the lowest endurable point, are shown, by the subsequent orders and practice of the Poor-law Commissioners, to form the real though unavowed basis of the present system of Poor-law relief."

The assertions of that resolution could, he thought, be likewise sustained in every point; to prove it, he would call the attention of the House to a speech made by a leading Member of the Administration of that day, when introducing the New Poor-law Bill into the House of Lords—he meant Lord Brougham, who made use of language fully corroborative of the sentiments expressed in the resolution, showing clearly that one great prospective object in view (the point to be attained one and the same for all) was the total extinction of all legal provision for the poor. The noble Lord said:

> "For most certainly it is, that anything more mischievous, anything more fatal to the country, anything more calculated to multiply indefinitely the number of the poor, cannot be conceived than the application to them of any regular fixed provision, be it tithe, be it tax, which they can claim at the hands of the rich, except by the force of that duty of imperfect obligation, private charity, which is imposed upon all men; every permanent fund set apart for their support, from whomsoever proceeding, and by whomsoever administered, must needs multiply the evils it is destined to remedy."

In another part he said,

> "That at the present he would say nothing about repealing the Poor-law itself; but when time shall have been allowed for inquiry and consideration, and when this measure shall have paved the way for the reception of ulterior projects, they will, should experience warrant their adoption, receive my assent."

What were the ulterior projects but that of doing away with all relief afforded by taxation to the poor of England? That very speech of the noble Lord proved it, and confirmed the sentiments in the resolutions. But, moreover, the Commissioners themselves in their own reports confirmed them. In their seventh annual report, page 42, they state,

> "That all their proceedings had been directed to a faithful execution of the intentions of the Legislature. In particular, the intention of gradually withholding out-door relief from the able-bodied is declared in so explicit and unambiguous a manner, as left the commissioners no choice as to the course which they should pursue."

In conformity with the intention of the Legislature, as they said, they issued the prohibitory order which appears in their regulations and reports. In the words of the resolution, their acts had fully carried out their intentions. In some unions the diet of the poor was so much reduced, that the people died in consequence. In one particular union to which he had alluded upon a former occasion, many persons, in consequence of the small quantity and mischievous quality of the diet, were afflicted with diarrhœa, and other diseases, which in numerous cases terminated in death. Such were the effects of the New Poor-law regulations and well was it stated in the third resolution, that

> "The suffering already caused by their partial enforcement, and the amount of out-door relief in spite of them still administered, show their provisions to have been at once cruel and impracticable."

It had indeed been acknowledged by a Minister of her Majesty's Government, that in spite of the disposition to limit relief to the house it was found impossible to do so, for, on a comparison, a very small portion of the poor were receiving in-door relief. The third and fourth resolutions declared truly,—

> "That the attempted substitution of punish-

ment for legal relief has more and more tended to irritate and dishearten the poor, to check industry, to increase crime, and to encourage various kinds of tyranny without even the proposed compensation of reducing the expenses of the rate-payers:" and—

"That this House think it, therefore, expedient to demand such a reconstruction of the existing system as shall make it conformable to Christianity, sound policy, and the ancient constitution of this realm."

He maintained that it was not consistent with either Christianity or humanity, nor was it consistent with sound policy, that in these times the poor should receive any harsh treatment, and be deprived of the rights which the ancient constitution of the realm intended they should possess, particularly those conveyed under the 43rd of Elizabeth. He had heard the able and ingenious argument of the right hon. Baronet the Home Secretary, used by him in a vain attempt to prove that the present Poor-law was more humane than that of Elizabeth. Let any indifferent person read the two acts, and say which was the more consistent with kindness and humanity. The act of Elizabeth provided that convenient habitations should be found for the poor; the new law confined them in houses which were not to resemble alms-houses, but to a certain degree were to be prisons or places of punishment. The right hon. Baronet attempted to show that the provisions for the poor under the new law were more certain than under the act of Elizabeth, which he quoted in order to show that cottages for the poor could not be built except under certain conditions. Those very provisions were intended for the benefit of the poor. In the reign of Henry the 7th a general disposition seized the landed proprietary of the country to reject the poor from the land. In various historical authorities it was stated that at the time the woollen manufacture commenced it was desirable to appropriate the lands for sheepcotes, and therefore the poor must be expelled from them. By the act of Elizabeth it was intended to retain the land for the benefit of the poor; and it was the expulsion of the poor from the land which caused the necessity for the Poor-laws. It was that expulsion, which had been continued and aggravated, and was now going on in an aggravated manner, that led to the oppression of the poor and of the rate-payers; because if the poor had been allowed certain portions of lands to live and labour upon, there would have been a smaller numerical amount of unhired labourers, and consequently a much smaller amount of poor-rates. Until the landlords of this country saw that it was their interest to let the working classes live on their lands, and to have a portion of those lands to support themselves, the pressure of the rates would not only continue, but must increase. That was no theory of his; the Poor-law Commissioners had quoted the parish of Dewsbury, as giving a dreadful exhibition of the pressure of poor-rates, which had reached the enormous height of 34*s.* in the pound; and it became necessary to call upon two other parishes to pay rates for the support of the poor of that parish. After the parish came into that condition, the lands were let in small portions to the paupers, and the consequence was, that the condition of the poor very quickly improved. But he did not alone rely upon his own information with reference to these points. In consequence of the statements made in the report of the Poor-law Commissioners, in which the extraordinary condition of the parish of Chonlesbury was stated, he (Mr. Crawford) having understood that the lands had since been let on the small allotment system, made inquiry as to its present state, and received statements from the clergyman of the parish, Mr. Jeston. That gentleman stated, that in the year 1833 the poor-rates exceeded 32*s.* in the pound, that the land was wholly unoccupied, the poor supported by rates on other parishes. In consequence of this state of things, an arrangement was made to let the land to the working people at that time paupers. It was allotted in portions varying from one to four acres. Mr. Jeston stated the result to have been,—

"That from that period up to the present we have not one able-bodied pauper on the parish. The men have continued to cultivate their allotments, and to maintain themselves and their families by their own exertions, with increasing comforts ever since. They pay a fair rent for their land, and pay it punctually; they also bear their full quota of parochial taxation, so that these very men who whilst dependent on the poor-rates were in a notoriously distressed state, and proved such a burthen to the community as to render all land in the parish worse than valueless, have now for nearly nine years supported themselves and families without any parochial assistance, and are at the present time in the enjoyment of far greater comforts than it may be safely asserted are the poor of any other parish in the county, whilst the property in the parish has recovered its value, and finds a ready purchaser when offered for sale."

Mr. Jeston then described the excellent effects as to moral improvement, the good conduct of the people, their attendance at public worship, the attendance of children at Sunday-schools, and the remarkable fact that not a single correction before a magistrate of any of the tenants had occurred since the commencement of the allotment system. He alluded to the objections. First he observed, that it was said the system would increase the population of the parish; the reverse of this was the case, for the population were on the decrease. With respect to a second objection, that the men would not care to work for the farmer, the reverse of this was also the case. When they could obtain work they were most anxious to have it;—

> "But this winter," (he says) "they have hardly had a day's work, and had it not been for the produce of their allotments they would have been on the parish."

Such was the statement given of the present condition of the parish by its benevolent and respectable clergyman, and after hearing it he did hope the House would not think that he had troubled them with it unnecessarily. He wished to show what was the effect of allowing the poor to work on their own lands. It appeared to him that the source of all the distress complained of was, that the poor were driven off their lands, and in his opinion if they had been allowed to remain, the state of affairs would have been widely different. With respect to the *animus* with which the English Poor-law was framed—a point that had been considerably discussed that night—he thought it was sufficiently proved by the framing of the Irish Poor-law. That law carried out all the enormities of the English law to the fullest extent. It was this circumstance which was producing all the excitement now prevailing in Ireland, and he did hope that the Government would provide a remedy in time. Under all the facts of the case, being convinced that the object of the English law was to restrain relief rather than to afford it, he should give his vote for the resolutions of the hon. Member for Nottingham.

Sir *Robert Peel* wished very briefly to advert to a statement which had fallen from the hon. Gentleman the Member for Knaresborough. That hon. Gentleman had referred to a former debate, in the course of which he (Sir. R. Peel) had addressed the House, and the hon. Member had stated that, in alluding to the report of the Committee of that House respecting the reports of Sir John Walsham and Mr. Mott, he had misconstrued the expressions, contained in the reports. The hon. Member further quoted that report, and having adduced certain passages in it had expressed a hope that he (Sir R. Peel) would now alter his opinion, and, being convinced that the construction he had put on the expression was erroneous, would explain his error to the House. Now if he had so misconstrued any expressions, he should be quite ready he was sure to explain away his error, but since the hon. Gentleman had spoken he had referred to the report, and he did not find that such error of construction existed. The hon. Gentleman said that the report gave a complete contradiction to what he had stated. Now, having referred to the report, he found that Dr. Nicholl was in the chair, and that on the question being put, "that this report, as agreed to, paragraph by paragraph, be reported to the House," Mr. Grimsditch moved a long series of resolutions of a tenor opposed to that of the report, and on a division there were three for the amendment and eight against it. The hon. Member for Marylebone (Sir C. Napier) voted with the majority. So much, then, for the general view of the report by the hon. Member. Now, what as to its particular references? With respect to Sir John Walsham's report, it said,—

> "No attempt has been made to impugn the general accuracy, nor, with one or two trifling and immaterial exceptions, any of the details of Sir John Walsham's report."

With respect to the dead body story, it said,

> "At Keighley frequently, at Bingley only once, and then with the full consent of the other occupants of the room, dead bodies of paupers have been left till burial in the beds which they occupied whilst living, and in the room where the other paupers, who had been their companions during life, still continued to sleep: but sheets were suspended round the bed in which the corpse lay; and the expression, that the 'corpse companioned the living,' was not intended to convey that the same bed was at the same time occupied by the dead and the living."

Then with respect to Mr. Mott's report, what was the evidence of the committee? They said,—

"Your committee is of opinion, that his report is borne out in all its most important allegations, by the evidence of the witnesses who came forward to impugn it; though undoubtedly it contains some expressions which are too general and unqualified."

In what respect, then, he asked, had he (Sir R. Peel) misconstrued the expressions in the report? He did not really understand what was the point of the hon. Member's charge.

Mr. *Ferrand* explained that what he had asserted was, that the report was in opposition to the evidence taken before the committee; and he would refer to that evidence, as published, to show whether his statement was true or not. With regard to the Keighley Union, he had not denied all the statements of Sir John Walsham, but what he had particularly dwelt on was, that in the Keighly workhouse, under the old law, there were only twelve inmates, whilst under the new law the poor of two townships went into it, and the number was consequently raised to fifty-five.

Sir *Robert Peel* said the question was whether Sir John Walsham's report was or was not generally correct. That was the question. He found that the committee affirmed that report, and he could not help thinking that it was substantially correct.

Mr. *Ferrand* remarked that Sir John Walsham made it appear that the inhabitants of Keighley were to blame for the state of their poorhouse, and he perfectly remembered that the hon. Member for Halifax had joined the right hon. Baronet in blaming them, speaking, of course upon the allegations of that report.

Mr. *C. Wood* said, he perfectly remembered stating that the hon. Gentleman the Member for Knaresborough, was chairman of the Keighley board of guardians, and had been from the formation of the union an *ex officio* guardian in consequence of his being a justice of the peace; and he also remembered remarking on the singular fact that the abuses stated by Sir J. Walsham occurred within, he believed, a quarter of a mile of the hon. Member's own door, he being either chairman of the union, or *ex officio* guardian as before stated. He had certainly before stated these facts, and he again repeated them.

Mr. *Ferrand* again explained. Although he was certainly an *ex officio* guardian, he had refused to be a party to enforcing a law of which he so highly disapproved, and it was without his consent or knowledge that the abuses complained of occurred.

Mr. *Miles* addressed the House reluctantly, and he would say, at the beginning, that it was his conviction the resolutions moved by the hon. Member should receive the assent of the House, if it could be credited that the words he had quoted were the basis on which the New Poor-law was founded. But, after the statement of his right hon. Friend (Sir James Graham), who was one of the persons who framed the law, he must say, that it was not true, that those propositions formed the basis of the New Poor-law. When the House remembered what was the state of the country before the New Poor-law was passed, he believed they would agree with him, that the new law had saved the country from destruction, and particularly the agricultural districts. When these were his opinions, and he was thus placed in the same situation as his right hon. Friend, he should be ashamed of himself if he were to shrink from stating his opinion of the new law, which, as a guardian, he had helped to carry into execution. His right hon. Friend having denied that the propositions were the basis of the present law, he must agree with him that the resolutions of the hon. Member were extremely fallacious. They would be so if the allegations were true, but being false, the course the hon. Member had adopted, was the most extraordinary that he had ever known adopted in that House. He could deny all the allegations contained in the resolutions from his own experience as a guardian. He should believe, with the hon. Member for Rochdale, that the Corn and Poor-laws were most disastrous to the poor, if the allegations made were true. But they were untrue. He admitted, that he was using strong language, but what was said there went abroad, and unless it was contradicted, was circulated in the country as true. He would take it on himself, therefore, to assert, as a Poor-law guardian, that not one of the allegations brought before them was true. The hon. Member (Mr. Ferrand) had complained, that the poorer classes were carried off from the agricultural districts, and made slaves of in the manufacturing districts. When he recollected what the state of the country was in 1830, before the new law was passed, when the poor were bound to their parishes, and bound to their counties, when they were starved in thirties or forties, while working in gravel pits; when he remembered how heavy was the poor-rate, and that riots were frequent, he must state there was much misery under the old law. That part of the new law which went to distribute labourers more equally through the country was, he thought, extremely beneficial. They were transmitted from places where their labour was not wanted, to places where their labour was in request. He would read some statements of the condition of such labourers which he found in the second report of the Poor-law Commissioners. The first was contained in the extracts from a letter of the Rev. W. Metcalfe, published originally in the *Cambridge Chronicle*, in Dec. 1835, and was as follows:—

> "At the present moment the neghbourhood of Manchester alone offers full employment for an additional 20,000 families, at great wages. The following cases of persons recently removed from Buckinghamshire and Bedfordshire will illustrate the subject. William Wootton, a shepherd, at Risborough, Bucks, was there receiving 10*s.* a-week; he removed with his wife and five children to the cotton mills of Messrs Bayley, in the vicinity of Manchester, and was instantly employed; himself at 14*s.* per week; his daughter Eliza, aged sixteen, at 7*s.* 6*d.*; John at 7*s.*; and Sarah at 3*s.* 6*d.*; making a total of 32*s.* per week, instead of 10*s.* James Hickman removed his family (with Wootton) from Risborough, where they were only earning 8*s.* weekly: he now earns, himself 14*s.*, and his two sons, James and Richard, 3*s.* 6*d.* each; making 21*s.* weekly. William Bailey, from Risborough, there earned 7*s.*, and his family, consisting of eight children, 9*s.*, in all, 16*s.* weekly; they are now in a cotton mill at Staley-bridge, earning 42*s.* per week. Bailey received those earnings the moment he entered into Mr. Harrison's employment. Rent and firing cost him in Risborough 3*s.* 6*d.* weekly, he now pays 3*s.* 8*d.*"

The situation of such a person was at that time considerably improved by going into the manufacturing districts, though, he admitted that at present in those districts there was considerable distress. The people there were in a most pitiable condition, but they were not better off in the agricultural districts. In that district which he represented, at least in the western division of it, wages were not, at present, even where the men could get work, which was not always the case, 6*s.* a-week. An hon. Friend of his, who had represented Lincolnshire, where the wages of the people had been 13*s.* 6*d.* per week, last year, had told him that wages had now fallen to 10*s.* a-week, though Lincolnshire was always a dear county. His hon. Friend had also told him, that in a village between Seaford and Horncastle, there were thirty-six able-bodied men out of employment. Would it not be better if those persons by now going from an agricultural district to a manufacturing district, could find profitable employment? He would quote a letter from the same report he had already quoted, to show how much the condition of such people had been improved. The hon. Member read the following letter:—

> "*Leeds, July* 24, 1836.
>
> "I and my family return you our sincere thanks for providing me and my family with work when we came in a state of destitution: so by your kindness we can now live very comfortable. Before I came down from Suffolk, I had been out of employment for one year, and had nothing to live upon more than 3*s.* a-week, and two stone of flour, for myself, wife, and five children. I receive 12*s.* a-week, my eldest daughter 6*s.* 6*d.*, who never earned more than 6*d.* or 8*d.* a-day, and that very seldom; and Ann, the next in age, 3*s.*, and we all expect our wages to be risen shortly. By the wages we receive now, you will see that our situation is very different to what it was before. The parish I came from received my pension of 3*s.* 6*d.* a-week; they gave me 3*s.*, and left the 6*d.* for me to receive when the pension was due. I have my pension now besides the wages. I have told you this to let you know how we were, and how we are; as long as I live, and can get a bit of bread, I will never go back again. The people of Leeds behave well to us, and our neighbours looked after us, as if we belonged to them."

He must say, therefore, that the hon. Members who passed the law deserved the thanks of the country, and those thanks were generally given them in the agricultural districts. He felt it his duty, therefore, now to defend them, and he could not stand by and hear them vilified for what he considered a good measure. In conclusion, the hon. Member said, that he agreed with the hon. Member for Rochdale in approving of the allotment system, which, in rural districts, he conceived, was well adapted to the poor.

Mr. *Hardy* said, that it was his intention to vote for the motion which the hon. Member for Nottingham had submitted to the House. He had opposed the Poor-law Amendment Bill at the time it was first introduced. He did not take that course with any view of obtaining popularity, or for the object of procuring a seat in that House. He was in Parliament at that time, and therefore he could not be accused of voting against the Poor-law Bill for electioneering purposes. It was his intention that evening to adopt the same course he had pursued on a former occasion when this measure was under the consideration of the House. He could not at least be justly accused of seeking for popularity by opposing the law and voting for the motion of the hon. Member for Nottingham. With reference to the Poor-law Bill, he must observe, that it would be unjust to say, that it had not some good and unobjectionable provisions. If this had not been the case, the originators of the measure would not have received the support of many hon. Members who had a seat in that House, and who voted for many parts of the bill. An allusion had been made to the Duke of Wellington's watching the operation of the Poor-law Bill in his neighbourhood. He had no doubt that the Duke of Wellington felt anxious to see the provisions of the Poor-law Amendment Act carried satisfactorily into operation. The fact of the Duke of Wellington considering it necessary to watch carefully the operation of the Poor-law in his own immediate neighbourhood satisfactorily established to his (Mr. Hardy's) mind, that the noble Duke thought that the law had been subject to much abuse. It might be said that the new law had given satisfaction in certain portions of the agricultural districts, but he (Mr. Hardy) maintained, that in the north of England the people were perfectly satisfied with the provisions and operations of the old law. It was carried into effect at a much less expense, it was more simple in its structure, and was more easily administered, than the new law. If the circumstances of the poor compelled them to apply for assistance, it could with facility be obtained. On that account the old law was more calculated to give satisfaction than the one which had been substituted in its place. Under the present law the poor had to travel miles before they could procure pecuniary relief. This had given rise to great dissatisfaction, and had excited a strong feeling against the law. The right hon. Baronet had stated that 3,000,000*l*. had been expended during the last year in Poor-law relief, and that upwards of 1,000,000 persons had been relieved. That sum gave about 1¼*d*. per head per day. There could be no reason, he thought, to say that such an expenditure was a great sum to appropriate to the poor. The hon. Member who had just sat down told the House that the labouring men in his neighbourhood were not able to earn more than 2½*d*. a-day for each member of their families. As to the resolutions before the House, were not such recommendations as the hon. Member for Nottingham had quoted, submitted to her Majesty's Ministers? At least the belief that a proposition similar in effect to that contained in the resolutions which had been moved by the hon. Member for Nottingham, had been laid before the Government for their adoption previous to the introduction of the Poor-law Bill, would have a most injurious influence upon the country. The impression upon the public mind would be that her Majesty's Ministers had not only received these suggestions, but had acted upon them. He was pleased to hear the right hon. Baronet at the head of the Home Department say, that although a document like that which the hon. Member for Nottingham had referred to was submitted to Lord Grey's Government, the Poor-law Bill was not founded upon it. The resolutions of the hon. Member for Nottingham did not go the length of stating that the Poor-law Bill was based on the recommendations which had been forwarded to the Government; it merely affirmed that such a document was in existence. The first resolution was to the following effect:—

"1. That in a document entitled 'Measures submitted by the Poor-law Commissioners to his Majesty's Ministers, appear the following passages:—

"'That at any time after the passing of this act, the Board of Control shall have power, by an order, with such exception as shall be thought necessary, to disallow the continuance of relief to the indigent, the aged, and the impotent, in any other mode than in a workhouse, regulated in such manner as by the aforesaid Board of Control shall be determined.

"'The power of the commissioners would be to reduce allowances, but not to enlarge them.'"

A reference had been made to the system of poor relief which had been adopted. He put it to hon. Members who represented various parts of the country whether, when the Poor-law bill first passed, the workhouse test was not in the mouth of everybody? It was thought important that such a test as the workhouse test should exist. This was made the subject of continued conversation by those who supported the measure. If those who applied for relief were not willing to go into the workhouse, no assistance was to be afforded them. That was the general impression in the country. If this test were not established by the Government and those who supported the measure, he would ask whether the Poor-law Commissioners had not acted upon that test? Had they not put it into operation? It was not only a well-established fact, that the poor were highly incensed against the law, but it was equally certain that those above them were also greatly dissatisfied with it. There existed a strong feeling of sympathy between the class to which he had alluded and those who received Poor-law relief. In the north of England nothing could have been better than the administration of the old law. Was not that fact convincingly established by the large number of persons who petitioned the House last Session, praying for a restoration of the old law? He should like to see a law proposed which would correct the evils of the former one. The great complaint urged against the present law was this— its administration was conducted by persons who resided hundreds of miles from those who required relief—its operation was directed by individuals who could know little or nothing of the condition of those who needed and who applied for Poor-law relief. The Government had positively disclaimed the imputation that the present law was based on the document to which the resolution had a reference; but there could be no doubt but that the Poor-law strongly smacked of those suggestions. The hon. Member for Nottingham asked, whether the law was or was not founded on those resolutions? The right hon. Baronet, the Secretary for the Home Department, met the resolutions by moving the previous question; but the people of England could not be deceived by the adoption of such a course. It would be thought that the Government would neither admit that such a document was in existence, nor could it deny that the Poor-law Bill was based upon it. He felt himself bound to vote therefore for the resolution and against the previous question, though if the hon. Member for Nottingham's motion were carried, he should have some objections to make to the wording of the resolutions. A spirit of dissatisfaction was spreading far and wide through the country in reference to the Poor-law, particularly in the northern parts of England in the manufacturing districts, and it was time that some steps were taken for its amelioration.

Sir *C. Napier*: I am extremely sorry that I did not happen to be in the House when the hon. Member for Knaresborough adverted to my conduct in reference to the appointment of the committee on the Keighley union. I have been informed that the hon. Member accused me of flourishing my stick over my head, and saying, that I had caught him in a trap. Now, Sir, I certainly did flourish my stick over my head for the purpose of encouraging the Turks to do their duty, but the assertion made by the hon. Member is like many of the other assertions which he has made in this House, and which he has found it impossible to prove. When the right hon. Baronet challenged the hon. Member to come forward and move for a committee to inquire into the charges he made relative to the Keighley Union, I saw him very backward in accepting it, and I got up and proposed the committee myself. It was as fair a committee as ever was formed—it was composed of hon. Members from that as well as from this side of the House—of Gentlemen friendly to the new law as well as of those who were opposed to it, and the hon. Member for Knaresborough got the fairest hearing that a man could get, yet he could not disprove a word of the reports either of Mr. Mott or Sir John Walsham. All was proved to be perfectly correct. [Mr. *Ferrand*, "No, no."] There might be some exaggeration, or rather neglect in that of Mr. Mott where he said such and such was the case without his having gone into it, but, on the whole, everything was proved to be correct. The hon. Member said he had caught me in a trap. These are the very words as told me by the hon. Member for Manchester. But so far from his catching me in a trap, it was himself that was caught, for every one of his assertions were proved to be incorrect; yet after that the hon. Member has the assurance to get up in his place and say, that we on this side of the House are humbugs. I have told him that I thought him the greatest humbug in the House, and after that he disappeared from the House altogether for a while. However the hon. Member has again appeared and repeated the old stories. The hon. Gentleman ought to be a little more cautious in his assertions, for you will all agree with me that he is in the habit of making many in the face of the House, and he has never been able to prove one of them. I hope the dressing he has received to night will do for him for a while. Now, Sir, to the question before the House. I think that if the recommendations which have been alluded to were made, it would be highly beneficial to the public to know who was the author of the report, because I think it must be one of the most disgraceful documents which was ever published. Why, Sir, go into any country—go into the most barbarous country in the world, and I will defy you to find any such document in existence. Sir, I have always been favourable to the new Poor-law. In many instances it has worked well; but I know that in many it has worked extremely ill. I trust that the right hon. Baronet, the Secretary for the Home Department, when he introduces his bill, will endeavour to correct some of the very hard and cruel provisions of the present law. One great and glaring fault is the enormous extent of the unions. Why the poor have now to travel ten or twelve miles to ask for relief, which may be refused them, and then they have to walk the same distance back with a heavy heart. I will put it to the House whether anything can be more cruel than in the extreme heat of summer or the cold of winter to drag the poor so far, while, perhaps, they may be sent back without any relief whatever? If all the unions were small, consisting of a few parishes, so that the guardians of each parish might be acquainted with the circumstances of the person applying for relief, the system would work a great deal better than it does at the present moment. I trust also the right hon. Baronet will consider, not only the case of aged persons, but those with large families, and unfortunate women who get into those houses and never get out again. With these observations I shall conclude by saying it is my intention to give my vote for the motion of the hon. Member for Nottingham.

Mr. *Blackstone* would not have troubled the House with any observations had it not been for the startling announcement made by the hon. Member for Somersetshire (Mr. Miles), that the New Poor-law had saved the country from destruction. That was placing the Poor-law in a very grand position. But the right hon. Baronet, the Secretary for the Home Department, placed it upon another ground, but one, in his opinion equally erroneous. The right hon. Baronet said, the object of the law was to elevate the position of the labouring part of the population in this country. It might seem rash in him to attempt to answer the right hon. Baronet, who, from his high position in the Government, had access to all official information, but since the right hon. Gentleman had addressed the House, he (Mr. Blackstone) had referred to the statistics of crime in various counties since the bill had come into operation, and if the House would bear with him for a few moments he would lay the result before them. He would select twelve counties which were purely agricultural, and three others which were engaged in manufactures and in which the New Poor-law had not been strictly enforced; and contrast the increase of crime in the one with the decrease in the other. The first county he took was Bedford, not because of its alphabetical position, but because it was the pet county of the right hon. Baronet. He would take the years 1833, which was before the new law came into operation, and 1836, when it had. In Bedford in the first named year the number of criminals was 112, in the latter 162. In Berkshire the numbers were in 1833, 209, in 1838 they had increased to 290, and this was a purely agricultural county. In Buckinghamshire the numbers were 1833, 187; in 1838, 237. Cambridgeshire, 171 and 237; Dorsetshire, 133 and 255, being an increase of nearly 80 per cent. Kent, 677 and 1,028. Oxford, 216 and 286. Hants, 484 and 632. In Somerset, the county represented by the hon. Gentleman who said the New Poor-law had saved the country from destruction, the numbers were 597 and 828. Norfolk, 529 and 588. Surrey, 454 and 505; and in Sussex, 403 and 529. He would ask whether that was not as fair a selection of counties as he could have made, and how enormous had been the increase of crime since the new law came into operation. Now he would show the House what was the state of crime—the decrease of crime in three counties wherein the New Poor-law had not been so strictly enforced, and were not under the control of the Poor-law Commissioners. In Yorkshire, in 1833, the number of crimes was 1,509, while in 1838 they had fallen to 1,324. In Lancashire in 1833, 2,305, and in 1838, 2,585; and in the metropolitan county of Middlesex in 1833 the crimes were 3,381; in 1836, 3,350; and in 1838, 3,488. He then would ask where had the new law elevated the character of the labouring population or improved their social condition? If the right hon. Baronet should disprove the returns then he (Mr. Blackstone) would be probably obliged to alter his opinion, but until that was done he would prefer his own private judgment upon the matter. The hon. Member for Somersetshire said the New Poor-law had been the salvation of the country. Now he would ask that hon. Gentleman, what were the rate of wages in that county? Were they not now so low as 6*s.* a week? What had become, he would ask, of the single able-bodied men? Was it beneficial that their employment should be discouraged? He knew that, whereas a single labourer could earn at task-work his 16*s.* or 17*s.* a week, a married man would only get probably 12*s.* or 13*s.* The opinion he had expressed on this law he had always held. He had opposed the act in its very inception; nor had he ever had reason to regret the course he had then taken against it; on the contrary, the more he knew of it, the greater reason he had to believe that it was impossible to work out the "workhouse" test, and that the attempt at it would become a perfect farce.

Mr. *Grimsditch* said, although he had certainly agreed that the statements of Sir John Walsham had been found substantially correct by the committee to which the hon. Member for Knaresborough had referred, it was very different with respect to Mr. Mott's report, not one material part of which had been borne out by the evidence, and he was glad that the result of the inquiry had been the removal of that Gentleman from the Poor-law Commission. Now, as to the resolutions before the House, he was fairly of opinion that the document in question had been intended, at all events, as the basis of the projected measure; and although he might have suggested some alterations in the language of those resolutions, he was so sincerely opposed to the law, that he could not avoid giving his support to propositions in which he substantially coincided, especially to that which deprecated the continuance of the law as unconstitutional. Whether or not it were unconstitutional in a political sense, of this he was certain, that it was directly at variance with the spirit of the act of Elizabeth, introducing as it did the bad principle of delegating to irresponsible authorities the prerogative of law.

Mr. *Ross*, in the absence of his noble Friend the Member for Dungannon, merely rose to defend the character of Mr. Clements from the aspersions that had been cast upon him by the hon. Member for Knaresborough. That Gentleman, with whose family he was intimate, was a person of great humanity and kindness of heart, and totally incapable of acting with want of feeling.

Mr. *Walter* then replied as follows:—After all the debate that has taken place the question is simply this—whether the House will support a law resting upon and embodying as it were the very soul and spirit of this unnatural report—a soul and spirit which will affect the future practice of the law for ever—or whether by sanctioning my propositions, or some one of them, they will impress upon the Government the necessity, if not the duty of adopting a more christian and humane principle as the ground of its legislation? Now, Sir, as to the right hon. Baronet the Home Secretary—with regard to the manner in which I acquired possession of this document, I do not know that I am called upon to give him the satisfaction he requires; and I beg to say, further, that I hold myself to be perfectly competent to judge of the propriety or impropriety of making use of any document I become possessed of. Nor do I come here to be schooled on points of delicacy or decorum by the right hon. Gentleman, but feel inclined to adopt and act upon my independent conviction of duty. Here is a most scandalous communication upon which is founded a most unconstitutional and most oppressive law. Others have spoken of this communication—I have dragged it to light and branded it as it deserves; and I am told, forsooth, I ought not to have done so, because the authors of the mischief have chosen, in order to screen their offence, to put the words "private" or "confidential" to their production. Why, in that case no project of guilt whatever can be detected. The authors have only to say, "We are acting confidentially, and therefore nobody must take any notice of it, neither while we are so acting nor for years after." The names of the commissioners, it is true, are not attached to this report, but this is not uncommon, for I have other documents of theirs, undeniably authentic, to which their names are not attached. Besides any document printed at the public expense, I submit ought to be at the disposal of the public. I should like to know how long the word "secret" is to be in operation. I can conceive secrecy to be necessary during a short time for the completion of an act: but the act being in this case completed by the Poor-law itself, it is the duty of every man to know by whom and by what means this legislative provision has been hatched. But their most authentic acts, I find are now disputed, even the dietary of the Cirencester union, which bears the signature of the three Poor-law Commissioners, but which, on its being published, appeared so horrible, that they dared not to act long upon it. There was a similar suppression of a document during the Poor-law inquiry of 1837, and I called the attention of the House at the time to so reprehensible a proceeding. Evidence was in that case tendered and taken, which, when those who tendered it, found that it did not answer their purpose, or rather, would prove the contrary of what they intended, they effected its suppression. The chief of those who urged this *suppressio veri*—as indeed his activity in favour of the law would in no case suffer him to be second—was the present right hon. Home Secretary, who though he acted as one of that committeee, was really mistaken by one of the witnesses, as he will well recollect, as counsel for the Poor-law Commissioners. The right hon. Baronet at the head of her Majesty's Government said, I had given no intimation of what I intended to do if these resolutions were agreed to. Why. Sir, the right hon. Baronet himself supplies me with an answer. "I have not," said he, when pressed in a similar instance to remedy a case of existing difficulty, "I have not," said he "received my fee for attending the patient." So neither am I obliged to tender assistance to those who, so far from offering me a fee, are previously determined not to take my help. Now as for the relaxations which have been spoken of. That must be a bad law, in the first place, which cannot bear its own enactment. The relaxations hitherto have been owing to no humane considerations on the part of those to whom the execution of the law has been intrusted, but to their inability to enforce it. They frequently indeed allow a miserable out-door relief, but why? Because the workhouses at this period of non-employment and public distress cannot receive those who are driven to its doors by suffering. In like manner, they send those whose life is extinct to be buried in the churchyards of their different parishes; but only because the churchyards near the union houses cannot contain them. The right hon. Baronet spoke of the county of Bedford, which my hon. Friend has called his pet county. I will just mention a pet union of his—the West Hampnett union. A day or two ago I received a letter, stating that,—

> "In the West Hampnett union several parishes raise voluntary rates, by which poor persons are relieved to whom the Poor-law Commissioners will not allow relief to be given out of the cumpulsory rates. Able-bodied men are prevented being tested, as it is termed; the payers of these voluntary rates say that a considerable saving is effected by this system."

The above information I had from two collectors of voluntary rates.

> "I could send you" says one of them "strong cases of the Poor-law being the cause of thefts and mendicity, and perhaps something worse. I cannot now omit stating that not long ago, in one of the parishes of the West Hampnett union, I saw in one day six women employed in leading horses, drawing loaded dung-carts into the fields. Though I have lived in Sussex all my life, I never saw anything of the kind before."

The hon. Member for Somerset has spoken of the benefit derived by the agricultural districts from this law. Now, I happen accidentally to have copied out of an old Manchester newspaper a passage which bears very strongly upon this. It is as follows:—

> "Yesterday afternoon, shortly before the sitting magistrates at the New Bailey left the court, a case of extraordinary novelty and hardship was brought before them. Two healthy, fresh-countenanced, but somewhat emaciated agricultural labourers, presented themselves in the witness-box, whilst at the extremity of the court were ranged in view of the magistrates sixteen individuals, one of them a female, about thirty, with two infants in arms, eight children, apparently all of them

under ten years of age, and three whose ages might be from thirteen to sixteen years, two of them girls and the third a boy. There were two others whom we did not see, making up a party of eighteen. One of the men stated that they came from Towersey, in Buckinghamshire, The farmers, he said, called a meeting to know if any of the parishioners would go down to Manchester, as every body there was doing well. Several of us said we would go. They told us that they thought our families would do well to come down. They said there would be houses for us to go into when we got there, and everything provided for our use. They employed a man named Clark to see after people who would go down, and we went to him. He asked what families we had got, and said we should do well indeed to come; we started accordingly to Mr. Waterhouse's, at Glossop. In answer to questions, the man said, six of the chidren whom the magistrate saw, belonged to him, and two were his brother's. The other man said, two of the rest were his own, and four belonged to another person; but he had promised to take charge of them, to bring them down, and do the best for them he could. The first speaker then continued his story:—'We were brought,' he said 'from our own county to Glossop in a boat, and from Glossop, Mr. Waterhouse sent us forward in a cart. When we got there, there were forty-five of us; we were put in a bit of a warehouse; and I have been there with my family three weeks, lying on a bit of straw, which is the only bed I have had. The parish' he said in answer to questions, 'paid the expenses of our journey down. We went by the boat to Marple, where they told us there was to be a cart to meet us, and take us forward to Mr. Waterhouse's. We did not know to what person in Glossop we were coming when we left our own parish. We were sent from our own parish to Coddington, where we met with a gentleman named William Clark. We travelled nearly forty miles, partly in a waggon, to the boat to where we embarked. Clark came back with us to the boat, and when we had embarked he told us, that we were going to Mr. Waterhouse's, at Glossop. Two other families came with us. I cannot tell whether Mr. Waterhouse had desired our overseer to send any hands. I worked at Mr. Waterhouse's three weeks, but yesterday he hired a cart and sent us in it to Manchester. The carter put us down in the street, and left us; he has sent another cartload this morning. I have seen them in town, and he would have sent them yesterday, but the cart would not hold us all; so he told one of the women he would send them this morning in his own cart. I don't know what has become of them. I saw them in town this morning, and they said they were going to the boat. We two (the men) are farmers, and the children are lacemakers; we were in work at the time we left Buckinghamshire.' The magistrates expressed much indignation at the deception which had been practised upon these unfortunate people, and intimated that the parties principally concerned in thus alluring them from their homes ought to be prosecuted. Mr. G. W. Wood stated, that there happened now to be in town (engaged in making inquiries on the subject of labour) Mr. Muggridge, a gentleman employed by the Poor-law Commissioners; and it was arranged that the overseers should go up to him, represent the case, and obtain his assistance, if possible, in taking measures for returning the families to their native parish, from which they had been thus unnaturally cast off. In the meanwhile it was ordered that due care should be taken of them by the overseers of Manchester. We understand that the party, eighteen in number, were set down on Thursday evening at the Cotton-tree public-house, in Ancoats, of course entire strangers, without means or resources of any kind. They were, however, taken to the workhouse and there provided for that night."

I have documents that will overturn nearly every proposition that has been advanced on the other side; but at this late hour of the night I decline bringing them under the notice of the House. The resolutions which I now propose I conscientiously believe to assert truths. They may be unpalatable to the present Ministers, as all propositions I have made on this subject were to the last administration; but that is no reason why I should not propose them, or why those who think with me should not support them. To meet the views of many hon. Gentlemen near me, I will withdraw the first four resolutions, and take the division only upon the last.

The House divided on the last resolution:—Ayes 58; Noes 126: Majority 68.

List of the Ayes.

Aglionby, H. A.
Archdall, Capt.
Attwood, M.
Baskerville, T. B. M.
Bell, M.
Benett, J.
Blackstone, W. S.
Blake, Sir V.
Borthwick, P.
Bowring, Dr.
Brockelhurst, J.
Brotherton, J.
Buckley, E.
Burrell, Sir C. M.
Chetwode, Sir J.
Cochrane, A.
Collins, W.
Colvile, C. R.
Crawford, W. S.
Cresswell, B.
D'Israeli, B.
Dodd, G.
Douglas, J. D. S.
Duke, Sir J.
Duncombe, T.
Farnham, E. B.
Ferrand, W. B.
Fleetwood, Sir P. H.
Greenall, P.
Grimsditch, T.
Hanmer, Sir J.
Hardy, J.
Heathcoat, J.
Henley, J. W.
Hinde, J. H.
Hollond, R.
Hughes, W. B.
James, Sir W. C.

Johnson, Gen.
Liddell, hon. H. T.
Lowther, J. H.
Manners, Lord J.
Masterman, J.
Mitcalfe, H.
Morris, D.
Muntz, G. F.
Napier, Sir C.
Pechell, Capt.
Polhill, F.
Rashleigh, W.
Scholefield, J.
Smythe, hon. G.
Stewart, J.
Wakley, T.
Wallace, R.
Williams, W.
Wortley, hon. J. S.
Yorke, H. R.

TELLERS.

Walter, J.
Sibthorp, Col.

List of the Noes.

Acton, Col.
Aldam, W.
Antrobus, E.
Archbold, R.
Bagot, hon. W.
Baring, rt. hon. F. T.
Beckett, W.
Bentinck, Lord G.
Bernard, Visct.
Boldero, H. G.
Botfield, B.
Broadley, H.
Bruce, Lord E.
Buller, Sir J. Y.
Clerk, Sir G.
Corry, rt. hon. H.
Cripps, W.
Curteis, H. B.
Damer, hon. Col.
Denison, E. B.
Dickinson, F. H.
Douglas, Sir C. E.
Dowdeswell, W.
Duncombe, hon. A.
Duncombe, hon. O.
Eliot, Lord
Escott, B.
Evans, W.
Fellowes, E.
Flower, Sir J.
Follett, Sir W. W.
Forbes, W.
Fuller, A. E.
Gaskell, J. Milnes
Gill, T.
Gladstone, r. h. W. E.
Gladstone, J. N.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Grey, rt. hon Sir G.
Grimston, Visct.
Grogan, E.
Hale, R. B.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hardinge, r. h. Sir H.
Heathcote, Sir W.
Henniker, Lord
Hepburn, Sir T. B.
Herbert, hon. S.
Hodgson, R.
Hope, hon. C.
Hope, G. W.
Horsman, E.
Hutt, W.
James, W.
Jermyn, Earl
Jervis, J.
Johnstone, Sir J.
Knatchbull, r. h. Sir E.
Knight, H. G.
Lambton, H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lincoln, Earl of
Lockhart, W.
Mackenzie, T.
Mackenzie, W. F.
Marsham, Visct.
Master, T. W. C.
Meynell, Capt.
Miles, W.
Mitchell, T. A.
Mundy, E. M.
Nicholl, rt. hon. J.
Norreys, Lord
Norreys, Sir D. J.
O'Ferrall, R. M.
Packe, C. W.
Palmerston, Visct.
Peel, rt. hon. Sir R.
Peel, J.
Plumridge, Capt.
Plumptre, J. P.
Pollock, Sir F.
Pringle, A.
Pusey, P.
Repton, G. W. J.
Roche, Sir D.
Rose, rt. hon. Sir G.
Ross, D. R.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, J. D W.
Scarlett, hon. R. C.
Shaw, rt. hon. F.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stuart, Lord J.
Stuart, W. V.
Stuart, H.
Sutton, hon. H. M.
Tennent, J. E.
Thompson, Mr. Ald.
Thornely, T.
Tollemache, J.
Trotter, J.
Tufnell, H.
Turner, E.
Turnor, C.
Waddington, H. S.
Walsh, Sir J. B.
Wawn, J. T.
Wellesley, Lord C.
Wood, B.
Wood, C.
Wood, Col. T.
Wood, G. W.
Wyndham, Col. C.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

America — Steam Communication.] Sir *V. Blake* rose, pursuant to notice, to call the attention of Parliament

> "To the great commercial, political, financial, and other advantages which will accrue to the United Kingdom, and to the distressed portion of its population in particular, by the adoption of the safest and shortest, instead of the present dangerous and circuitous, line of packet communication across the Atlantic Ocean; the urgent necessity of giving every due facility to the sliding-scale as enacted by the present Corn-laws; and of forthwith selecting the most commodious port on the western coast of the Atlantic as a packet station to expedite the Post-office intercourse between North America and Great Britain."

He thought it right, in the first instance, to show the relation of the different subjects, mentioned in his notice, to each other, his only difficulty in that respect being the want of that degree of talent which he was in the habit of witnessing in the right hon. and hon. Gentlemen on both sides of the House. He confessed his total inability to do justice to the subject, and that if at the time he had given the notice he was as fully aware, as at present, of its comprehensive nature and importance, he should have been deterred from the undertaking; but as he was now committed to proceed, he trusted that the importance of the subject would incline the House to give him its attention even at that late hour—a favour he could not expect if he did not avow his determination to be brief in his observations, and if the ability of the advocate was to be its only inducement. If it was inquired why he persevered, when by his own acknowledgment his imperfect advocacy would possibly prejudice the cause which he intended to serve, the answer he feared would not amount to a justification, although he hoped it would be a palliation; it was this—he hoped he was influenced truly by a passion which is said to be the noblest that can animate the human mind—love of country. He was of opinion that his measure, if carried, would tend materially to revive the trade and better the condition of the unemployed manufacturers of Great Britain. Another most material ingredient which influenced him was the improvement of the condition of the unemployed portion of the people of Ireland—the expenditure of capital and the revival of trade there produced by the simple process of converting one of the ports on the western coast of Ireland into a post-office conduit for the mercantile correspondence of Europe. He thought it right to state, that if it was thought fit to select the nearest port to Dublin for the packet-station, the expenses of forming a railroad to that port from Dublin, pursuant to a survey already made, would be under one million; and he was authorized to say that there were parties ready with a capital to that amount to enter upon the speculation without requiring any aid whatever from the Government or from the State, save only that this House or her Majesty's Government will adopt the desired selection of the most convenient harbour to facilitate and expedite the proposed communication. It was the passion for the improvement of his country that urged him unflinchingly, but with regret, to oppose the Administration of which the right hon. Baronet was the head; but he would abhor the miscreant who would for a moment contemplate the dreadful crime of anything approaching to assassination, in order to crush the existing Administration. Fair, open, political hostility was his system—and here it might not be inapposite for him to observe that public policy demanded that in such cases (except in the instance of a raging maniac), the plea of insanity ought, he thought, to be abolished. [*Laughter.*] Gentlemen might laugh, but there were persons who were not in that House for whose moments of suspense, and anxiety of mind, as to supposed dangers, to which their absent friends might be exposed, it would become that House well to manifest its sympathy and good feeling. With these few preliminary observations it would be now his duty to proceed to vindicate the apparently inconsistent terms of his notice, by showing that the two subjects of the sliding-scale and the proposed communication, could be consolidated. For this purpose he would read a single sentence only from *Hansard,* being an extract from the speech of the noble Lord the Member for London, on the motion during the last Session of a distinguished Member upon that side of the House (Mr. Villiers). The noble Lord said, that

> "On looking to the capabilities of America for growing corn, they must also remember that there was no inducement to them to send corn to this country so long as they were shut out by a sliding-scale. Intelligent gentlemen from America had represented the working of the sliding-scale as most prejudicial to the trade between the United States and Great Britain; and he then held in his hand a copy of a memorial which had been presented to the right hon. Baronet at the Head of the Government, by the merchants of the American Chamber of Commerce at Liverpool."

To this speech the right hon. Baronet answered; but he would not trouble the House at so late an hour by reading the right hon. Baronet's answer; he would merely state the substance of it, namely, that it was said that on account of the distance of the United States from this country, it was impossible for them to compete with Continental Europe in the corn trade to England; but in answer to that the right hon. Baronet would, he said, state an actual fact, to show the facility of import from the United States. An order, he said, was sent to the United States from Liverpool for 1,000 barrels of flour on the 1st of August; the cargo was shipped on the 23rd of August, and arrived at Liverpool on the 13th of September. Now if the alteration which he proposed had been then carried into effect, the order of the 1st of August, transmitted through Ireland, would have been at sea on the broad Atlantic at noon on the following day, and would have arrived at the American port on or about the 11th of August; and the cargo might have been on board on or about the 13th or 14th of the same month, instead of being delayed to the 23rd, thus making a difference of nine days in the transmission of orders and the shipping of cargoes. In order to give due effect, and to make his plan the more perfect, it would be necessary to construct a railroad from Dublin to the destined port, but even without this facility, and by means of the mail-coach communication, as it is at present, a manifest advantage would be derived from the proposed change. This, however, would inevitably lead to the speedy construction of a railroad, and it would, therefore, be satisfactory to the House to be reminded of what had already taken place with reference to the introduction of railroads into Ireland. It would be found that on the 2nd of October, 1836, pursuant to an address from the House of Lords, his late Majesty authorized the issuing of a Commission directed to certain Commissioners therein named,

> "To make inquiry as to the port or ports on the West or South coast of Ireland, from whence the navigation to America may be best carried on by steam vessels, and to investigate particularly the facilities for the construction of lines of railroad across Ireland to such port or ports."

This Commission was renewed by her present Majesty on the 3rd of November, 1837, and the Commissioners answered in the following words:—

> "If this question were limited to the mere facility with which a voyage could be made from port to port, the answer must necessarily be in the affirmative; for not only are the southern and western harbours of Ireland nearer to America, but they are also more favourably situated as regards the prevailing winds and currents of the Atlantic—the saving of distance is of peculiar value where the voyage by steam is to verge on a point which will scarcely admit of the carriage of fuel sufficient, exclusive of any other cargo."

Under these circumstances the noble Lord, the Chief Secretary for Ireland, and a distinguished Member of the late Administration, in 1839 applied to Parliament for a grant of 2,500,000*l.*, to be expended by the State in constituting a railway, not across Ireland, as directed by the Commission, but extending longitudinally to the port of Cork, being a distance of nearly twice the extent of that leading to the nearest port to Dublin, on the western coast, and requiring double the amount of expenditure in order to execute a railway. The Administration of which the noble Lord was a Member ceased to exist before his project could be carried into execution, and then, in the last Session of Parliament, the hon. Member for Roscommon, with great ability, made his motion, the object of which was substantially to follow up the application of Lord Morpeth for the construction by the State of railways in Ireland. To this motion the right hon. Baronet, now at the head of her Majesty's Government, offered with effect the most strenuous opposition. He objected to the interference of the State in railway speculations, and contended that such operations ought to be left to private enterprise. He denied that the gratuitous expenditure by the Government of 6 or 7,000,000*l.* would benefit Ireland. His words were,—

> "My opinion is, that if what was asked were given, it would be a fatal gift. My belief is, that an undertaking to construct an expensive railway in Ireland would not pay the expense; but even if it did, what would be the consequence? Why, you would bring together an immense mass of labourers; but when the works were finished, and these labourers could find no employment, was it not probable that the evils of Ireland, instead of being mitigated, would be increased."

He could not omit to give expression to his utmost astonishment at this unstatesmanlike declaration by the right hon. Baronet. He thought the right hon. Baronet was better acquainted with the industrious habits of the humbler class of the Irish people; and he could assure him and the House, that if the most destitute of those who seek employment in that neglected country could be sure to obtain constant wages for three years, they would be thereby raised to the possession of a sufficient capital to render them individually, not alone, comparatively independent for life, but also enabled to support their now famishing wives and children, and also their aged and infirm parents, whom it would be their highest pride to keep from the degrading refuge and distressing confinement of a poor-house. Independent of all other considerations he was armed with further evidence in support of his motion. He would refer particularly to the documents and papers relating to the western harbours of Ireland, ordered by the House of Commons on the 11th of August, 1834, and from the evidence taken upon oath on that occasion (many of the persons then examined being still alive and of high station) he would read a few short extracts. He would begin first with the evidence of a person who must be considered of the very highest authority, because he had been since selected to represent, and now represented the town of Liverpool. He said,—

> "I think the point of departure should be the westernmost point of the United Kingdom, for notwithstanding the improvement in steam machinery, so as to increase space for freight and passengers, it is of the first importance to the success of the contemplated measure that the voyage from land to land be made the shortest possible. The dangers of the Channel may be best understood from the statement made at a public meeting at Liverpool, in contemplation of effecting a ship canal across Ireland, to escape the dangers of the Channel navigation, where it was stated that the average losses within the Channel amounted to 340,000*l.* annually."

Now he would beg leave to remark, that this estimate only related to the actual losses, and not the wear and tear, which, he had authority for stating, taken together (without including port duties), amounted to a sum little short of 2,000,000*l*. The next record to which he would refer was the minutes of the evidence taken before a committee of the House of Lords, appointed to inquire into the existing facilities for the intercourse between the United Kingdom and the colonies of North America, and the expediency and means of improving them, dated the 13th of June, 1836. The first witness examined was Colonel John Jose Burgoyne, in whose evidence he found the following statement:—

> "But if these advantages could be obtained (meaning the facility of intercourse through Ireland), with the present state of communication, how much more will the case be strengthened by taking into consideration the progress of the railway system? Railways are in progress to connect London with Liverpool."

Here he, (Sir V. Blake) would remark, that that there was now a railway seriously contemplated, that would greatly shorten the distance between London and Dublin, by a line through Wales.

> "The passage by them and the present packets to Dublin, will be effected in twenty-four hours easily; twenty-four hours more will convey a mail by coach to any port in Ireland; and that time may be reduced by more than one-half, by the application of a railway through Ireland."

The next witness was the Duke of Wellington. He stated, that

> "It would be a great convenience to the military department, to be quite certain of carrying on their reliefs from that particular point (meaning the west coast of Ireland)."

The next was an extract from the evidence of Vice-admiral Sir Robert Walter Otway. He said,

> "I was in the West Indies early in the war, and we lost island after island, when, if the troops could have come out immediately, the country would have been saved some millions."

Mr. Charles Vignolles, the next examined, observed,

> "I have no doubt, the whole correspondence of Europe would pass that way (still alluding to the western coast of Ireland); I consider that the introduction of steam is likely to increase considerably the danger of our shipping in the Channel in time of war; we should be liable to be attacked, supposing the French our enemy. I have thought for a long time, the whole course of our military operations must be changed in case of a war with France. I conceive that the choice of a suitable harbour for steam-vessels on the western coast of Ireland, would considerably increase the naval means of these countries in time of war."

He would not abuse the marked indulgence of the House (for which he was truly grateful), by extending his observations much further; although, if the lateness of the hour had not prevented him, he would have trespassed upon them for some time longer. He hoped, however, that he had said enough to satisfy all reasonable men, that he had established a case to show that vast commercial, political, financial, and other advantages would accrue to the nation by the adoption of his suggestions, according to the terms of his motion; and, after repeating the expression of his thanks for the patient attention with which he had been heard, he would conclude by moving,

> "That the House should resolve itself into a committee of the whole House (pursuant to the notice he had given)."

Sir *David Roche* seconded the motion.

Sir *Robert Peel:* The motion of the hon. Baronet, if agreed to, would involve a great expenditure for the construction of a suitable harbour in Ireland. The idea of a safety harbour in the Channel was suggested by others as a great and necessary improvement. He did not, however, repudiate the proposition of the hon. Baronet as to the superior advantages of a packet station in Ireland; but he could not sanction the hon. Baronet's motion, as it was objectionable in point of form. It was a motion for a committee of the whole House, to which he could not accede; and he hoped the hon. Baronet would not press it to a division.

Viscount *Palmerston* could not but applaud his hon. Friend for the propriety and ability with which he brought forward his motion. The question deserved the most mature deliberation. He agreed with the right hon. Gentleman, the head of her Majesty's Government, that the form of the notice was objectionable, and he would suggest to his hon. Friend the propriety of withdrawing it, and giving a notice for another day for a Select Committee, to inquire and report as to the advantages to be derived from the establishment of a packet station on the west-coast of Ireland, and as to which particular port would be most eligible for the purpose. He thought his hon. Friend was mistaken by the right hon. Baronet. His hon. Friend expressly stated that the alteration would not involve the State in the expenditure of a single shilling; but that, on the contrary, it would be a spur to private enterprise for the formation of a railroad to the selected port from Dublin. He particularly recommended his hon. Friend to withdraw the present motion, and to bring forward the subject in the form of an application for a Select Committee; an application to which he could anticipate no objection upon the part of the Government.

Sir *V. Blake* was desirous to conform himself to the wishes of the House. He begged to express his acknowledgments to the noble Lord, and would adopt his suggestion. He hoped, however, that the right hon. Baronet would render his further interference unnecessary, by intimating his disposition to consider the matter favourably, or at least, that he would encourage him to hope he would not object to the Select Committee, when moved for. He assured the right hon. Baronet, that there were several ports on the west coast of Ireland already prepared, and in a condition to receive the whole navy of England; but there was no trade, and this measure would create a trade there, without injury to the trade of Liverpool. He stated that the trade of Liverpool was too old and too gigantic to be transplanted to Ireland, and the effect of the redoubled intercourse with America would be to improve, and not to diminish that trade.

Sir *Robert Peel* would not be seduced by the sweet words of the hon. Baronet into a pledge to support a motion for a Select Committee; but he would strongly recommend the hon. Baronet to adopt that course, and to take his chance for the consequences.

Sir *V. Blake* would conform himself to the recommendation of the right hon. Baronet, and would give notice accordingly.

Motion withdrawn.

House adjourned.

HOUSE OF LORDS,

Friday February 24, 1843.

Minutes.] Bills. *Public.*—1ª· Courts of Equity (India). 2ª· Pound Breach and Rescue; Forged Exchequer Bills; Transported Convicts.

Reported.—House of Lords Oaths.

Private.—2ª· Jackson's Divorce.

Petitions Presented. By the Duke of Buccleugh, from the Dean and Chapter of St. Peter's, Westminster, and from Walsall, against the Union of the Sees of St. Asaph and Bangor.

Pound Breach.] Lord *Beaumont* moved the second reading of the Pound Breach and Rescue Bill, which the noble Lord said, was to extend the same protection to cattle impounded for trespass on enclosed lands as by the existing law, was given to cattle found straying on highways.

Lord *Campbell* said, if his noble and learned Friend on the Woolsack had read the bill, and approved of it, he (Lord Campbell) should not offer any opposition to the present motion. The bill proposed to make that a crime which, as the law stood at present, was only a misdemeanour; and he must own that he looked with great jealousy to such an extension of jurisdiction.

The *Lord Chancellor* was not acquainted with the provisions of the bill, but he would suggest that the bill might be read a second time now, and might be fully considered on the motion for going into committee.

Bill read a second time.

The Navy.] The Earl of *Haddington* said, the noble Earl opposite had given notice, yesterday evening, of a motion for that evening, the object of which was to procure information relative to the sums expended for particular periods on certain branches of the naval service. The motion, as it appeared on the votes, was of a very comprehensive character, and the notice given was so extremely short, that he was not furnished with the information necessary for entering into the subject. He had, however, done the best he could, in the course of one short morning, to procure as much information as possible, and that information he would be most happy to communicate to the noble Earl. If, however, the noble Earl wished to go into a very wide discussion—a discussion on the state of our whole naval *materiel*, and the general strength of our naval force at present as compared with a former period—such a discussion was certainly too extensive for him to be prepared to enter into on the moment. He could not collect that information which he was desirous to impart to their Lordships on so very short a notice. He thought that the notice had not been given in the way in which it ought to have been given, considering the extent and importance of the subject to which it related; and, if the noble Earl would give notice of motion to-day for a future time, he would be prepared to meet it. The noble Earl had told him yesterday, that he had given his notice then, because he wanted to go out of town. He wished that the noble Earl had given notice three or four days ago, and then he should have been prepared to meet any statement which the noble Earl might think proper to make.

The Duke of *Wellington* said, there might be a question whether such information as the noble Earl called for should be communicated; and, therefore, if there were no other reason, proper notice should have been given.

The Earl of *Minto* said, he did not mean to raise a discussion on all the subjects to which the noble Earl had alluded. He had no intention to enter into a wider field than was pointed out by his motion, or to go into any inquiry as to the general state of the noble Earl's administration of those branches of the subject to which the motion related. What he intended to do referred chiefly to what had been done, and what was about to be done, under the estimates of the other House of Parliament, at two different periods. On that point, he conceived the noble Earl might have been prepared with the necessary information. The point on which he was most anxious to procure information was, as to the amount of expense incurred for building ships of the line and steam-vessels of war, during the former and the present financial year. This was not so new a question, or so uncommon a matter of inquiry, as the noble Earl seemed to suppose. Such information had often been sought for. His object was to see the situation of our naval force, under certain heads, before the passing of the navy estimates for the present year. The subject was one of very great importance; but if the noble Earl was not prepared to enter into it at present, it was not his wish to press the discussion.

The Earl of *Haddington* had not been at all aware that his noble Friend intended to enter on the navy estimates that were then debating in the House of Commons. At all events, before entering into a discussion on the estimates, their Lordships ought to have the documents before them. When a person filling his office gave information, the public had a right to expect that that information should be accurate.

The Earl of *Hardwicke* thought that the House was not then prepared to enter upon the subject, as none of the navy estimates had been laid before that House. Those papers were supplied to the other House only, and he thought it very desirable that some means should be taken to have copies furnished to their Lordships also.

The Earl of *Minto* said, he had really been very unfortunate in his endeavours to make himself understood. His questions did not relate to any estimates at present before the House of Commons, but to those of former years. His motion was to obtain the information—the want of which the noble Lord complained of. He wished to know whether his noble Friend intended to carry out the programme of 1841 and 1842, and to what extent, measuring by eighths, the reduction was to be carried. The noble Earl moved for a

"Return of the sum expended in the payment of wages to shipwrights, other artificers, and labourers, in the following Dock-yards:—Deptford, Woolwich (exclusive of the Steam-engine Manufactory), Chatham, Sheerness, Portsmouth, Plymouth, and Pembroke, between the 1st April, 1841, and the 1st April, 1842, compared with the sums voted for the same service (Vote No. 8.) in the Naval Estimates for the year 1841-2; also similar Return, from the 1st April, 1842, to the latest period for which it can be given; also, similar Returns for the same periods of the sums expended in the payment of wages to artificers and labourers in the Steam-engine Manufactory at Woolwich (Vote No. 8.); and also Returns of the sums expended in each of the same periods, for the purchase and repair of steam machinery, compared with the sums voted for the same service (Vote No. 10.), in the Navy Estimates for the years 1841-2 and 1842-3."

The noble Earl was understood to express his regret that the present Government had not paid sufficient attention to maintain the efficiency of the navy, and that they had this year proposed a reduced estimate for ship-building.

The Earl of *Haddington* said, he would explain the reason why less had been done in the particular department to which the noble Earl referred, in the last than in some preceding years. First, with respect to the building and repair of line-of-battle ships. The noble Earl must be aware of the great importance of keeping up repairs. It was better to have the ships in existence in good condition than to leave them in a deteriorated condition, and proceed to build new ones. It would be difficult to give a satisfactory answer with respect to the number of eighths, because the amount of such depended upon the size of the vessel. It would take a much larger time to complete the eighth of a first-rate than that of an inferior vessel. The reason why the number of eighths appeared to be less than usual was, that a greater number of large ships was operated on than was customary. In order to form a correct estimate of the work done, it was necessary to look to the number of shipwrights employed, and the quantity of timber consumed. The quantity of timber in the dock-yards in 1840 was 13,707 loads of 50 cubic feet; in 1841, it was 15,500 loads; and in 1842, it was 14,290. The number of men employed was pretty much the same in each year. Circumstances, over which the Government had no control, had caused the new work done to fall short of that designed. Woolwich was the only yard which had a complete establishment, but there the pressure for putting out steamers had been so great that not more than half the other work intended to be executed in that yard could be accomplished. Another cause was the state of the demonstration ships. In 1840 the noble Earl took credit for those ships being in such a state that they could in a very short time be made ready for going to sea. When, however, those vessels came to be examined, they were found to be much out of order, and it was necessary to take the shipwrights off other work and set them about repairing the demonstration ships. The repairs were nearly executed, and there would soon be thirty sail of the line ready for sea; namely, ten in the Medway, ten at Portsmouth, and ten at Devonport. There were now nine line-of-battle ships being built in the different yards. The late Government, when they quitted office, left the slips filled, and designated successors to the ships which were then in progress. It would have been unjustifiable in the present Government to order fresh vessels to be built until they were completed, but orders had been given to prepare eight new frames. He would now give the House an account of the number of ships launched in 1841 and 1842, and the number intended to be launched in 1843. In 1841-2, there were launched three line-of-battle ships, one fifth rate, one sixth rate, four brigs, nine steamers, and one liner. In 1842-3, there would be launched four ships of the line, one fourth rate, one sixth rate, brigs, five steamers, and two liners. In 1843-4, there would be launched one ship of the line, one fourth rate, two fifth rates, two sixth rates, three brigs, two steamers, and one liner. Under these circumstances, he thought there was no ground for contending that the present Government was not as anxious to uphold the power of the navy as their predecessors. In addition to what he had stated, he must observe, that the Government were building four new slips at Portsmouth; at Plymouth there was no room for any more; at Pembroke nearly five new slips were finished. The steam establishment at Woolwich was nearly completed, and it was intended to add to it this year by the purchase of Charlotte-place. Other improvements would have been effected, but for the pressure upon the public finances at the present moment. He was sure it was the policy of this country to keep up such a steam force as would set all danger of invasion at defiance. He had been called on, very unexpectedly, to explain matters which more properly belonged to the gallant, distinguished, and experienced Lord of the Admiralty, whose health he hoped would be speedily restored.

The Earl of *Minto* replied, and admitted that the explanation of the noble Earl opposite had gone far to remove his uneasiness.

The Earl of *Hardwicke* observed, that the consumption of timber in the arsenals, and the number of labourers employed, had been nearly the same during the last three years; and therefore, if the work was done, whether on new ships or on old, the public would be satisfied. He thought the noble Earl at the head of the Admiralty would do well to turn his attention in the construction of steam ships to the abandonment of timber for iron.

The Earl of *Haddington* declined to take upon himself the responsibility of such a change. He would not say anything against iron; but he could not say that all steam-ships should be of iron.

Lord *Ashburton* very much doubted whether it would not be better to leave these matters to those who were skilled in them, instead of laying bare to the public eye all our naval improvements.

The Duke of *Wellington* said, I am very much obliged to my noble Friend for that suggestion. I thought it possible that this debate might come to the issue which, I am sorry to say, it has; and I therefore endeavoured to put a stop to it. The whole discussion has turned upon this: the late First Lord of the Admiralty brought forward a number of charges against the present First Lord; the consequence of which is, that the whole *arcana* of the important offices which they filled is made known to the whole world.

The Earl of *Minto:* I really cannot see why this House should be debarred from the discussion of one of the most important subjects that can be mooted in it. I have myself, at no distant period, been obliged, with notice and without notice, to enter much more intricately into the discussion of what are called the *arcana* of State than anything that has elapsed to-night; and this has been done, certainly, without rebuke. I cannot for the life of me, understand how any foreign State can obtain more information from what has occurred to-night than what can be had in the *Navy List*, and in the estimates of work in the dock-yards.

Lord *Colchester* understood himself to be alluded to, though not by name, by the noble Earl. He had certainly made many motions on the subject of the navy; but he recollected that the last return which he asked for concerning the preparation of ships was withdrawn.

The Duke of *Wellington:* As the noble Earl (the Earl of Minto) has alluded to motions coming from that opposition to which it was my lot to belong for a considerable time, I beg to ask him, whether I ever put any question or made any motion which could be the slightest inconvenience to the public service? I remonstrated against this motion being brought on, but the noble Earl persevered.

The Earl of *Minto:* The noble Duke may rest assured I did not allude to him when I said I had had to answer very intricate questions from the other side when I was in the Government. I am quite aware there is no one who can be more safely appealed to in all questions of the public interest. I do not recollect, however, that the noble Duke ever checked those discussions.

The Earl of *Haddington* said, that the explanation which he had given he considered was only an act of justice to the department over which he presided.

Motion withdrawn.

The Earl of *Wharncliffe* moved the second reading of the Transported Convicts Bill.

Agreed to; and the House adjourned till Monday.

HOUSE OF COMMONS,

Friday, February 24, 1843.

MINUTES.] BILLS. *Public.*—*Reported.*—Coal Vendors Penalties.

Private.—1°· Northampton and Peterborough Railway.

PETITIONS PRESENTED. From Moviddy, and Bandon, for Amending the Irish Poor-law Act.—By Mr. Wodehouse, from Hereford, Norwich, York, Chester, Charles Coode, and the Diocese of Bath and Wells, against the Ecclesiastical Courts Bill.—From Whitburn, for a Settlement of the Scotch Church Question.—By Sir R. H. Inglis, Sir J. Y. Buller, Lord Norreys, and Viscount Ingestrie, from Walsall, Dyserth, West Andover, Oxford, and King's College, London, against the Union of the Sees of St. Asaph and Bangor.—From Lewes, and the Rev. Robert Risdale, for Amending the Tithe Act.—By Sir R. H. Inglis, from a Missionary Society, against Lord Ellenborough's Proclamation.—From Wigan, for Amending the Mines and Collieries Act.—From Dunmanway, in favour of the Irish Poor-law Act.—From Ottery, St. Mary, against the English Poor-law.—By Sir G. Strickland, Messrs. Ewart, Hawes, and Cobden, from Alnwick, Lambeth, Dumfries, and Preston, for the Total and Immediate Repeal of the Corn-laws.—From Bromwich, Walsall, and Chelton, for Church Extension.—From William Langford, and Robert Vinall, against the measure proposed for Promoting Health in Towns.—From Norwich, for the Repeal of the Property Tax.—By Lord John Russell, from native Merchants of Bombay, for Compensation for Opium.

COMPENSATION TO OPIUM MERCHANTS.] Lord *J. Russell* wished to put a question to the right hon. Gentleman, the Chancellor of the Exchequer, on the subject of the petition he had presented previously from Bombay. He wished to ascertain the causes of the delay which had taken place in the payment of the indemnity for the opium surrendered to the Chinese. The right hon. Gentleman had stated that some inquiry was to be made this year as to the value of the opium. He begged to ask whether the inquiry had yet been made, or was now proceeding, or was intended?—at what time it was likely to be terminated, and whether there was any valid objection to the payment of the indemnity?

The *Chancellor of the Exchequer* said, he had already apprised certain parties interested in the payment for the opium, that until the ratification of the treaty with China, it was impossible that Government could act on the stipulations therein contained. The ratification on our part had been sent out from this country; it would probably soon be exchanged with the Chinese government, and then her Majesty's Government would be enabled to take steps in fulfilment of the condition of the treaty.

With respect to the payment of indemnity, so anxious was the Government to prevent any delay in the settlement of the just claims of the opium holders, that reference had been made to India and China, and when the inquiry into the claims was completed, reports would be received from both those quarters, on which her Majesty's Government would be able maturely to form their judgment.

OFFICERS OF THE MERCANTILE NAVY.] Captain *Fitzroy* begged to ask the right hon. Gentleman, the Vice-President of the Board of Trade, whether it was the intention of Government to bring forward any measure respecting the examination of masters and mates in our merchant service.

Mr. *Gladstone* said, that a committee was now employed in investigating this subject. It was not likely that committee would take any great length of time to bring its investigations to a close; upon its report would depend the course which the Government would take.

SUPPLY—NATIONAL REVENUE AND EXPENDITURE—STATE OF THE COUNTRY.] Mr. *Hume*, on the Order of the Day being read for going into a committee of supply on the Navy Estimates, said, that he was anxious to call the attention of the House, and of the Government, to the present state of the revenue and the expenditure as compared with former years, and to the condition of the industry of the country at this time. He had been anxious to state his opinions on that important subject on the late motion of Lord Howick, to consider that part of her Majesty's Speech, which stated,

> "That the diminished receipt of the ordinary sources of revenue must in part be attributed to the reduced consumption of many articles caused by the depression of the manufacturing industry of the country, which has so long prevailed, and which her Majesty has so deeply lamented."

But he had not then an opportunity. He must observe, that although the debate had continued for five nights, no hon. Member had adverted to the amount of the diminution of the revenue, or to the causes producing it, which he (Mr. Hume) considered as the best means of bringing the condition of the country fairly before Parliament. He submitted to the House that it ought to be the practice to have estimates of the probable revenue and of the proposed expenditure for the current year laid before them previously to being called upon to vote any part of the estimates for the naval and military services, and he regretted that the Government had not adopted that plan. He would therefore state, that it appeared from the annual finance accounts, that from the years 1831 to 1841, the total gross revenue of the country had been of nearly the same amount in each year, varying from 51,000,000*l.* to 52,000,000*l.* sterling. but that, the expenditure in the same period had varied from forty-eight and a-half to fifty-four and a half millions sterling. It was important to a correct view of the state of the finances to look at them for the last ten years past, and to understand clearly that the amount of taxes received from the public had not been diminished to any extent until within the past year, when he should show an alarming decrease; and he would further say, that the deficiency in the Exchequer was produced entirely by war expenditure, which he (Mr. Hume) contended, had all along been unjust and uncalled for.—From the years 1831 to 1835, the expenditure had been reduced from fifty-one and a half to forty-eight and a half millions sterling. But from 1836 to 1842, it had increased from forty-eight and a half to fifty-four and a half millions sterling. During the five years 1832 to 1836, there had been a surplus revenue of 7,487,030*l.* surplus of revenue, in 1832, 614,758*l.*; in 1843, 1,513,084*l.*; in 1834, 1,608,186*l.*; in 1835, 1,620,940*l.*; in 1836, 2,130,092*l.*; total surplus in five years of revenue over expenditure, 7,487,030*l.*; but during the last six years, from 1837 to 1841, the expenditure had exceeded the income by 10,188,659*l.*; excess of expenditure over revenue in 1837, 655,760*l.*; in 1838, 345,228*l.*; in 1839, 1,512,792*l.*; in 1840, 1,593,971*l.*; in 1841, 2,101,369*l.*; in 1842, 3,979,539*l.*; total excess of expenditure in six years, over revenue 10,188,659*l.*; and, by that means the financial difficulties of the country had been brought on. He did not blame the right hon. Baronet (Sir R. Peel) for that increase, so much as he did the late Ministry, although he must say, that both sides of the House were culpable in having unnecessarily increased the military establishments of the country. The estimates for the current year 1843-4, have been reduced by the sum of 832,635*l.* below those of 1842-3; but, as the expenditure of the year 1842-3, exceeded that of the preceding year 1841-2, by nearly the same amount the expenditure of the current year will be thus brought back only to that of 1841-2. The expenditure, exclusive of the charges of collection, was in 1841-2, 50,185,729*l.*, and in 1842-3, 50,945,170, or 759,441*l.* in 1842-3, more than in 1841-2, as appears from the balance sheets of the net revenue and expenditure for those years. By the statement in his hand, the estimates for the Naval and Military services, on the current year already laid before the House, amounted to 14,457,235*l.*, whilst those of 1842-3, amounted to 15,289,820*l.*, shewing a decrease in this year of 823,635*l.*—viz.:

1842-3.		1843-4.	DECREASE IN 1843-4.
The Navy Estimates were	6,818,173	6,382,990	435,183
The Army Ditto	6,364,426	6,225,103	139,323
The Ordnance Ditto	2,107,271	1,849,142	258,129
	£15,289,870	£14,457,235	£832,635

The House had voted 100,846 men and officers (exclusive of 28,635, for the East Indies), and to retain the whole year 95,106 for the regular army; it is proposed to keep up 39,000 seamen and marines for the navy, and 8,577 men and officers for the artillery department, making in the aggregate 142,683 officers and men for the naval and military service of the current year, exclusive of the staff of eighty-nine regiments of disembodied militia in Great Britain, and of thirty-eight regiments in Ireland; and exclusive of 14,664 yeomanry corps in Great Britain, and of near 20,000 regularly trained police in the United Kingdom. That was, he contended, an armed force not required in time of peace, and a large portion of it in the present state of the finances, ought immediately to be reduced. He saw no reason why the establishments should not be reduced to what they were in the year 1835-6, when Parliament voted 81,272 men of all ranks for the army; 26,500 seamen and marines for the naval service, and 7,752 for the engineers and artillery; making an aggregate of 115,223 men and officers for that year, instead of 142,683 as proposed for this year. The expenditure would be found to bear a proportionate increase. In 1835-6, the charge for the army, navy, and ordnance, was 11,657,846*l.*—Payments of the army, 6,486,143*l.*; navy, 4,099,429*l.*; ordnance, 1,151,914, total, 11,657,486*l.* In 1835-6, the charge for the army, and navy, and ordnance was, 11,657,846, whilst, for the year ended July last, the charge runs 16,169,030*l.*, being no less than 4,511,544*l.* more in this year than in 1835-6. It was easy to account for that great increase of charge by the unjust, and meddling policy of the late ministry and he hoped a lesson would be learned, therefrom, and prove useful for the future. In 1836, the impolitic and oppressive acts of the Government in Canada rendered the Canadians, who only demanded responsible Government discontented; and 10,000 regular troops, with a large naval force, were sent out to coerce them; and this country has been at the expense of one and a quarter millions yearly, in maintaining that military force there until last Autumn, when the right hon. Baronet conceded the just demands of the Canadians—giving them responsible Government and peace, and contentment have been the fruits of that act of justice, and sound policy. He thanked the right hon. Baronet for that act. It is stated that 3,000 of the regular troops have been withdrawn from Canada, and he (Mr. Hume) saw no reason why 10,000 should not be brought home and disbanded, by which more than one million sterling of expences, would be saved, and that would enable the Government to take off the import duty on cotton, and on corn, which now, injured our manufactures. The Canadians did not require any troops to protect their Government, and he submitted that not more than 2,000 regulars should be left in the whole of British North America.—In 1839 the noble Lord (Palmerston) began to interfere in the affairs of Syria, and that meddling policy where no British interest was concerned, had led to an expense of near two millions a year since that time, and had further created anarchy and war, where all before his interference was security and peace. In proof of the heavy charge to England, he would state that in 1821 we had only twelve ships of war, all sizes, in the Mediterranean, and Sir George Cockburn had stated, in evidence, before the Finance Committee in 1828, that he was not aware that more than seven or eight ships would be required in time of peace, to protect the trade of the country in that sea. But by the interference in the affairs of Turkey we had offended France and risked the peace of Europe. We had while professing to be at peace, carried war to the coasts of Syria, where in February and March 1841 we had fifty ships of war of all sizes carrying 1,834 guns, and 15,074 men. The waste of life and property was great, and all to gratify, apparently, some private object of the noble Lord at the expense of the nation. He did not deny that our navy had manifested great vigour and great power, and that they had acquired professional glory in their attacks upon Syria, but it was in a bad cause, those efforts ought to have been reserved for a better one. The war with China now happily terminated was another cause of the increase of our naval force. He mentioned all these acts of aggressions on our part, as the causes of the increased expenditure, and he called upon the House to bring back the establishments to a moderate scale. The differences with the United States had been happily settled—responsible government had been given to Canada—Syria had been delivered over to the Porte—peace had been concluded with China, and there was no plea for supporting such war establishments in time of peace. Upon these grounds he applied to the right hon. Baronet to reconsider the estimates for the ensuing year, and to make at least a reduction commensurate with the deficiency of the revenue. It was lamentable to observe in the estimates, that the half-pay and pensions and all the ineffective charges continue nearly as high as they were immediately after the war twenty years ago. The House was now called upon to continue these large war establishments in a time of profound peace, although the revenue was giving way in every branch, and although the commerce and the manufactures of the country, the real sources of our wealth were decreasing every day. He could scarcely believe that the right hon. Baronet was really aware of the distressed state of the country, or instead of standing still, he would endeavour by farther advances towards free-trade to afford relief to prevent the distress from becoming universal. He (Mr. Hume) would read the resolution of the Common Council of the City of London, on the 8th of December last, exhibiting in his opinion the most correct view of the state of the trade and industry of the country, which he had seen; and having been agreed to by the Corporation of London, rendered it worthy of serious attention.

HUMPHREY, *Mayor.*

"A Common Council holden in the Chamber of the Guildhall of the City of London, on Thursday, the 8th day of December, 1842,

"Resolved, that the continued and increasing depression of the manufacturing, commercial, and agricultural interests of this country, and the wide spreading distress of the working classes, are most alarming; manufacturers without a market, and shipping without a freight, capital without investment, trade without a profit, and farmers struggling under a system of high rents, with prices falling as the means of consumption fail; a working population rapidly increasing, and a daily decreasing demand for its labour; union houses overflowing as workshops are deserted; Corn-laws to restrain importation, and inducing a starving people to regard the laws of their country with a deep sense of their injustice. These facts call for the immediate application of adequate remedies."

He (Mr. Hume) called upon the right hon. Baronet, in the language of that resolution, to apply the adequate remedies, and to apply them before it was too late. These remedies were the repeal of the Corn-laws and the removal of all restrictions and protective duties on trade; together with a large reduction of the taxation of the country. All our sufferings are caused by heavy taxation and by the restrictions on trade, and chiefly by bad commercial laws. No effect ever followed its cause more directly than the diminution of our trade, the decrease of employment, the increase of poverty and crime, have followed monopoly and heavy taxation; and there is no appearance that these effects will cease, until their causes are removed. Having pointed out the causes of the increased expenditure, he would now point out the extent of the decrease in the ordinary revenue of the country in the last year alluded to in her Majesty's speech. The right hon. Baronet in his speech on the budget on the 11th of March 1842 estimated the net ordinary revenue for the current year at 48,350,000*l.* but we had realised much less than that estimate. The total ordinary revenue for the year ending 5th of January 1842 was 47,915,720*l.*; for the year ending 5th January 1843, only 46,700,890*l.* Showing an apparent deficiency of 1,216,681*l.* But the sum of 1,882,585*l.* arising from casual revenue must be added to that deficiency, and then the real decrease will be 3,099,216*l.* in the year, that sum of 1,882,585*l.* was made up of 571,055*l.* from income-tax, of 410,000*l.* silver received from China, and of 801,530*l.* received in duty on corn more than in the previous year. Duties received from imports of corn in 1841, 575,407*l.*; in 1842 1,376,937*l.*; making 801,530*l.* more in 1842 than in 1841. If the net revenue for the quarter ending 5th January, 1843, from Customs, Excise, Stamps and Taxes, be compared with the quarter ending 5th January, 1842, the decrease amounts to 1,379,057*l.* at which rate the decrease in the four quarters ensuing will amount to 5,516,228, viz., in customs a decrease of 581,185*l.*; in Excise, 717,262; in Stamps 56,763*l.*; in Taxes and Crown lands 23,047*l.*; making in the quarter 1,379,857*l.* The right hon. Baronet it was said, expected to receive between five and six millions sterling from the income-tax, instead of the 3,900,000*l.* which he estimated in March last. He (Mr. Hume) doubted that amount, but if it were raised, it would only increase the general distress and cause greater deficiency in the ordinary revenue. The decrease of revenue arose from the decrease of the consumption of articles paying excise and customs duties, and poverty amongst the industrious classes was the cause of that decrease. He must further observe, that a great mistake had been committed by the right hon. Baronet, in increasing the taxation by imposing the income-tax. He had stated when that tax was under discussion that the amount of 52,000,000*l.* sterling raised in the past year, was more than the state of trade and commerce and the general circumstances of the country would bear. It was asserted that that tax would not fall upon the poor—that persons having more income than 150*l.* a year would pay the Income-tax, and that those persons having less would not pay any, but be relieved by the reduction which the new tariff would make in the price of food and other articles of consumption. That was a great mistake on the part of the right hon. Baronet. He would find that almost every person subject to the tax was discharging horses, carriages, and servants, or reducing his expenses in some other way to meet the charge upon his income. These reductions fell chiefly on the working classes and partly on the revenue—both would suffer. A large proportion, perhaps 70 per cent of the public revenue was derived from taxes upon articles of general consumption by the mass of the people, such as sugar, butter, cheese, raisins, beer, &c., and the low wages and want of work sufficiently accounted for their inability to purchase, and for the deficiency of the Revenue. Unless, therefore, something was soon done to give employment to the people, and to increase their ability to consume their usual articles, the ordinary revenue must continue to decline, and the deficiency of the Revenue would soon be so great, that, instead of getting rid of the Income-tax, at the end of three years as contemplated, it would be requisite to increase that tax to 10 per cent on all property. It appeared from the Report on the Customs' Duties, that 22,000,000 out of the 23,000,000 of Customs' Duties were derived from seventeen articles imported. Those articles were all of primary necessity, and consumed chiefly by the working classes, and by examining the list on that report they would see how the decrease of consumption must affect the Revenue. He would state the decrease on some of them. The average price of sugar had been less in 1842 than in any of the previous five years—it had been only 34*s.* 9*d.* per cwt., and yet the quantity consumed had been less than in 1841, and the Revenue had been 240,000*l.* less. The consumption of cheese, butter, raisins, &c., had all decreased one-fourth. There was, indeed, a general decrease of the trade and navigation of the country—the harbours were full of ships unemployed, and every branch of commerce was depressed. Workmen in thousands were without work, and vagrancy and crime on the increase. Unless, therefore, the right hon. Baronet gave us free-trade, we should be unable to keep up the present taxation of the country. The public faith with the public creditor would be endangered, and he cautioned the House not to drive matters to extremes, and risk the serious consequences which we were threatened by the present course of monopoly and extravagance. The land deserved its value for the trade of the country, and the taxes of the country were principally paid by those who earned it? And he, therefore, warned the landed Gentlemen, and the monied men not to persevere in the support of monopolies which were undermining the real sources of our wealth. Our legislation of last year had injured the shipping of the country; when the tariff was passed, he (Mr. Hume) had strongly objected to the export duty on coals, and the returns now before us were, he thought, a strong proof of the impolicy of that tax. In the six months ending 5th January, 1842, when there was no duty, there were 948,227 tons of coals exported. In the six months ending 5th January, 1843, after the duty was imposed, the quantity exported was only 621,149 tons, showing a decrease of 327,078 tons, which would have given cargoes to 1,635 colliers of 200 tons each. That tax the Corn-laws might explain and account for the deplorable state of the British shipping, and yet, strange to say, the shipowners generally supported all monopolies. It free-trade was fully carried out, England, being the greatest market in the world, would be as cheap if not the cheapest; and our artizans and merchants, being thereby placed on an equality with the rest of the world as to the price of the necessaries of life, would soon revive from their present depressed state, and the public revenue would at the same time recover. The present is the time to set the example to the world, of a determined liberal system of trade by at once admitting corn from America, as it is quite certain that for every bushel imported an equivalent value of manufactures would be exported, and thus work and wages would immediately be given to the unemployed, and revenue to the State. Both countries would benefit from that free-trade, and the example would be followed soon by the rest of the world. England would soon become as she has before been, prosperous and happy. He was confident that the trade and manufactures of the country could not be all relieved until the abolition of all protective duties; and that consideration brought him back to the Corn-laws as the great, though not the only cause of the present appaling distress. The Anti Corn-law League, that much maligned association, had been charged with desiring to obtain free-trade in food, and yet to keep up protection for their manufactures. But that was not true; at the first meeting of this association they passed the following resolution:—

> "That this meeting, while it demands the total and unconditional repeal of all laws, imposing duties upon, or restricting the importation of corn, and other articles of subsistence, is prepared to resign all claims to protection on home manufactures, and to carry out to their fullest extent, both as it respects agriculture and manufacture, the true and peaceful principles of free-trade, by removing all existing obstacles to the unrestricted interchange of industry and capital among all nations."
>
> "*London, Brown's Hotel,*
> *5th January*, 1839."

He also held in his hand a resolution of the Dundee merchants in July 1842, which, as far as that great branch the linen trade was concerned, was conclusive:

> "That while this meeting claims as a natural and inherent right the privilege of exchanging the productions of their industry freely with the corn and provisions of other nations, they are willing that the so called protection enjoyed by the linen trade of this country, should be at the same time abolished, and the principles of free-trade applied to the productions of this and every other country."

With these declarations, and under the existing financial difficulties of the country, the House ought to adopt free-trade, the chief if not only remedy he saw for the distresses of the country. It was not in a financial view alone that he advocated economy, and retrenchment, and free-trade,—the moral degradation and the state of crime produced by the physical distress, called for immediate attention. The increase of poverty and of the poor-rates in the manufacturing districts had been brought before the House on the late debate, and he was anxious the House should know what was the state of Marylebone parish, in which he resided. In 1838, the poor in the workhouse were 1271, the casual poor 2,206, and the rates amounted to 8,674*l.* In 1839, 40,241; all these had increased; and in 1842, the poor in the workhouse were 1,771, and the casual poor 5,169, whilst the rates for the poor were 17,833*l.* He considered so large an increase in that rich metropolitan parish as indicating a very distressed state of the working population. The state of morals and of crime in the country might be judged of by the late returns laid before the House, by which the number of prisoners had been increasing each year for several years past. In the year 1840, the large number of 142,525 prisoners of all kinds had passed through the prisons of England and Wales.* In such a state of poverty and crime—of depressed trade and financial difficulties, it was impossible the country could long go on. He had shown that Corn-laws and other monopolies, with profuse expenditure, were the causes of these evils. He had shown that the estimates for the naval and military services the year were 15,000,000*l.*, thus being about 5,000,000*l.* sterling more than in 1835, although the country was now in general peace; and as he had failed to obtain from the House any support for the moderate reduction of 10,000 men from the vote of 100,846 men and officers for the army, he would not propose any reduction in the navy, but leave the extravagant establishment upon the responsibility of the right hon. Baronet. They must also recollect that there was a grand addition to the poor-rates, and to the county-rates, from the increase of the police, and of prosecution forms, which, with the exactions under the Income-tax, would lessen the means of the middle classes, and thus increase the poverty of the nation. The pressure on all classes was gradually rising; and, unless a change of system was speedily made, it might be too late to provide for the financial difficulties, and for the maintenance of the population; and the consequences may be to that extent, to risk the peace and institutions of the country. There was a great responsibility on Parliament at this time; and especially on the right hon. Baronet, who commanded a large majority in both Houses. If work was not given to the unemployed by the promotion of manufactures,—if commerce was not released from its present restrictions, the danger to the State, as expressed some years ago by the right hon. Baronet, now Secretary for the Home Department, was worthy of attention.

> "The feeling of the public must be hostile to the present Corn-laws—in violation of public opinion they cannot long retain an exclusive advantage. The contest is fearful; for on what ground will it be decided? On the very topic which inflames to madness; that hunger which breaks through walls, will be arrayed against them, reason will be heard no longer, the barriers of society will be broken down; and estates, distinctions, honors, swept away in one resistless torrent."

He had thought it right to make these observations to the House, and to state the results of his observations,—his only object being to promote the interests of the community. He felt that the country had not been for many years in so difficult a position as at present; and unless remedial measures were taken, and that speedily, the most lamentable consequences must ensue; and these means were, in his views, by economy and retrenchment in every branch of the public expenditure, and by repeal of the Corn-laws and of all restrictions upon commerce. He would add, that as all these were all in the power of Parliament to effect, the responsibility and the future must be upon them.

Mr. *Williams* expressed his decided disapprobation of the immense amount of the estimates prepared for the present year. He considered that the distressed state of the country, the deteriorated condition of the productive classes, the great amount of the expenditure above the revenue during the last seven years, and the great falling off in the trade of the country as shown by a return lately laid upon the table of the House, which proved that upon thirteen of the great articles of our export the falling off in the last year, as compared with the year preceding, amounted to 3,800,000; he considered that these were circumstances which imperatively called upon the House to look at the present position of the country, and to ponder seriously upon the difficulties in which it was involved. In the last six or seven years the calculations of the Finance Minister as to the productiveness of the revenue had been erroneous. In no one of these years had the anticipated amount of revenue been realised. In every one of these years the expenditure had exceeded the income. The gross expenditure of the country from the year 1837 up to the end of 1842, had exceeded the amount of the revenue by no less a sum than 10,000,000*l.* sterling. He contended that the budget should every year be developed before any votes were taken. In former times the Treasury used to exercise a very stringent control over the several departments; but now, he believed, the Treasury did not charge itself with the examination of the various items in the votes before they were submitted to the House. Professional men settled the navy, army, and ordnance estimates, and every one knew they were naturally inclined to look more to display than to demands of real necessity in their several departments. Until they adopted some system of control very different from what now prevailed, it was vain to expect any economy or retrenchment. Before a single shilling of public money was voted, he would have the estimates referred to a select committee, which should go over every item, and be satisfied of its necessity. He wished the right hon. Baronet would inform the House what reasons induced the Government to keep up so expensive an establishment as was at present maintained. The changes for half-pay and pensions called for particular attention. He found that, in these items, there was a considerable increase in the estimates for the present year, and he wished to know what circumstances had led to this increase? He would direct the attention of the House to the amount of the estimates for the half-pay and superannuation pensions in 1818, when the country had only just been extricated from a long and expensive war; and he was surprised to find that the estimates for the present year exhibited a great increase, under this head, as compared with those of that period. After twenty-six years of peace, he found that the estimates of this year showed an increase under this head of about 114,000*l.* on the estimates of 1818. Then with respect to the civil pensions awarded to persons who had been employed in Somerset-house and other Government offices, he found that in 1818 the estimates under this head amounted to 99,661*l.*, in 1821 they were 105,000*l.*, in 1822 they were 126,000*l.*, and for this year they were 168,000*l.*, showing an increase of 68,500*l.* over those of 1818. He thought that, after 1818, great reductions might have been effected in this department in the way of superannuation; but it appeared that, after 26 or 27 years of profound peace, the amount of estimates under this head had been nearly doubled. He thought this circumstance required some explanation. But, when a more careful analysis of these estimates was instituted, the difference between the amount voted in 1818 and that now required appeared still more extraordinary. In 1818 the estimate under the head of half-pay was 984,000*l.*, and under that of pensions and superannuations 145,000*l.*; while, in the estimates now before the House, the amount of half-pay was 746,000*l.*, and the amount of pensions and superannuations 497,000*l.* It appeared, therefore, that on the estimates of 1818, under the head of half-pay, a reduction of 238,000*l.* had been effected, while in the pensions and superannuation allowances there had been an increase of 352,000*l.* But there was another circumstance to which he would direct the notice of the House, and with respect to which he thought some explanation ought to be afforded by the Government. In 1818 the estimate for pensions to the widows and children of naval officers was 12,030*l.* The estimates under this head had since gone on gradually increasing, and now he found that the item had reached the amount of 196,000*l.* In 1818 the allowances on the compassionate list were 5,000*l.*; they were for this year, estimated at 15,000*l.*, showing an increase of 10,000*l.* There was one item in which he found a very considerable reduction had been effected—the bounty to chaplains. It seemed that the chaplains were not now regarded with much favour; for while in 1819 the estimate under this head was 2,000*l.*, it was now only 283*l.* He thought that the pensions granted to widows of officers were far more considerable than was necessary or politic. It was true that in many cases where valuable services gave a title to them these pensions ought to be granted; but he thought the system at present pursued with reference to these grants was calculated to lead to a great increase in the item. He considered that, as so good a provision was made for their widows, old naval officers might not unfrequently become the husbands of handsome young women, and therefore a great encouragement was afforded for increasing this department of the estimates. He must strongly appeal to the Government to make a careful examination of these estimates. The Government ought to have some regard to the condition of the country, and to undertake a revision of the whole system; and he was convinced they must feel that they were not justified in maintaining the present vast establishment, when they found that, at a former period, when this country was placed in circumstances precisely similar to those in which it now stood with relation to foreign countries, the expenditure was so much less for the items to which he had referred. He was aware that, if he brought forward a motion on the subject, such a course would not enable him to attain his object. He had always felt great reluctance in opposing any vote of public money for the service of the navy; for he considered that the Government of this country was bound, by the strongest obligations, and by regard for the public welfare, to maintain our naval force in a state of efficiency. At the same time, however, he could not but condemn the vast and unnecessary expenditure which was incurred in the items of half-pay and pensions. In fact, the naval half-pay and pensions constituted to all intents and purposes, another pension list. He would now beg the attention of the Government to the effective service and half-pay and pension list of naval officers. There were, in the list before the House, 184 Admirals, and seven who were in the receipt of pensions; but how many were there on the effective list? Only ten admirals commanding, and three holding situations in the dock-yards: so that there were only thirteen in the service, while 191 were on half-pay. There were 613 captains, many were besides on the pension list, and of that class, only sixty-four were on active service. The comparative number of commanders and lieutenants on active service was also very small. He found that the estimates for this year, under the head of "half-pay," exceeded by 30,000*l.* the estimates of last year. He was sure that no one would grudge the rewards which had been bestowed upon the gallant officers who had performed such important services in China, and even the poor of the country would gladly contribute towards such rewards; but this was not the class of men on whom pensions and rewards were bestowed. They were awarded to the connections of the aristocracy—to the friends and relatives of Members of this and the other House of Parliament—while hard-fighting and gallant men, who had bled in defence of their country, were too frequently passed over and were left unrewarded. He thought the Government ought to endeavour to make the expenditure of the country agree with the revenue—not try and raise a revenue to meet an extravagant expenditure. He remembered reading some observations of Lafayette, addressed to the Parliament of Paris, in 1788, when additional taxation was proposed, which had made a strong impression on his mind. Lafayette appealed in the strongest terms to the aristocracy, telling them the course they ought to pursue was this:—to reduce the expenditure to meet the revenue, not to raise the revenue to support an extravagant expenditure. If the aristocracy of France had adopted that excellent counsel they might have been saved, but they rejected it; and, in three or four years afterwards, that aristocracy—perhaps the proudest and the richest that ever existed—were swept from the land.

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* Porter's Tables, part 10, Table 243.

Sir *Robert Peel* had listened with attention to the speeches of the hon. Gentlemen opposite, and he thought, that many points which they had discussed, would have been much better deferred, till the estimates were under consideration. If the hon. Gentleman (Mr. Williams) had postponed his observations with respect to the civil, the superannuation, and the naval and military pension lists, until the estimates were brought specifically before the House, a much better opportunity would have been given for affording explanations on the points to which he had referred. But the House must not take it for granted, although the hon. Gentleman stated, that he had bestowed much time on his calculations, and was convinced of their entire correctness, that the compliment which the hon. Gentleman had paid himself was entirely deserved. The hon. Gentleman said, "Look at the amount of the estimates for civil superannuations in 1818, and compare them with those of the present year; see what an increase has taken place;" but the hon. Gentlemen should know, that a very great proportion of that increase was caused by the reductions which had been made in the civil establishment. In 1830, the Duke of Wellington's Government made considerable reductions in the civil establishment; and, subsequently, similar reductions were effected by the Governments of Lord Grey and Lord Melbourne. But the hon. Gentleman must be aware, that it was impossible to effect such reductions without making provision for the parties who were thereby displaced. The hon. Gentleman must know, that it might be perfectly consistent with sound economy, and with practical permanent reduction, to exhibit an increase in the amount of civil superannuations. The hon. Gentleman said, "I have gone through these estimates; I have compared them with the estimates of former years, and I find an enormous increase in the amount of naval pensions." That was true; but when the hon. Member compared the estimates for the present year with those of a former year, he should bear in mind, that at the former period, Greenwich Hospital possessed large funds applicable to naval pensions, of which it was now deprived, and that, consequently, that House was called upon to supply the deficiency. The hon. Gentleman said, "Look at the immense amount which is given to the widows and orphans of officers; I cannot conceive what is the reason of this." He begged to inform the hon. Member, that the increase to which he alluded had been made in conformity with the recommendation of a Parliamentary committee; and he would advise the hon. Gentleman not to be too eager in future for the appointment of Parliamentary committees. He would advise the hon. Member to place more confidence in the Executive Government with regard to the effecting of retrenchment, and not to refer matters of this kind to Parliamentary committees; for his (Sir R. Peel's) experience had shown him that the Members of such committees, under the influence of the kindest motives—from a feeling of sympathy towards the friends and relatives of the gallant defenders of their country, were prone to say, "Let us be liberal; compare these services with civil services;" and the result was an increase in the estimates. He would tell the hon. Member what had taken place, within his own experience, with regard to the pensions of the widows and orphans of officers. Formerly, the funds for providing pensions for widows and orphans were mainly supplied by the contributions of naval officers, which produced, he believed, a sum of more than 100,000*l.* It was, however, considered unjust that naval officers should be taxed to furnish a fund for this purpose; and a Parliamentary committee said:—

> "It is not fair to levy contributions for supplying pensions for these widows and orphans upon the officers; we, therefore, recommend Parliament to abolish this system, and to undertake themselves to provide means for the payment."

That recommendation might or might not be a just one; but the circumstance showed that Parliamentary committees were not always favourable to reductions in expenditure, and it accounted for the increase in the estimates under this head, which had so much surprised the hon. Gentleman. A comparison had been made between the change in the year 1791, for naval, military, and ordnance services, with the charge for the present year; but the hon. Gentleman had totally omitted the fact, that in the first case the estimate was only for Great Britain; in the present day it was the United Kingdom of Great Britain and Ireland. The hon. Gentleman said that the constitutional practice of the House was not to vote the supplies until the ways and means were before Parliament. He apprehended that the constitutional practice had always been to vote the supplies before they voted the ways and means, and that Parliament never sanctioned the principle that they should impose taxes in the first instance, without knowing what the exigencies of the public service were; but that, on the contrary, they should first determine what amount the public necessities required, and then supply the means. Neither of the hon. Gentlemen had made any motion on this occasion. Of that he did not complain, though no one was less disposed to undervalue the matters to which they had called the attention of the House. The hon. Gentlemen the Members for Montrose and Coventry must both excuse him for saying, without meaning to express any doubt as to the importance of the matters which they had pressed upon the attention of the House, for no one could be less disposed than he was to undervalue the subject which they had spoken on that evening, that finding they had not had an opportunity in the four or five nights last week that the subject of the distress of the country was debated of making their speeches on that question, they had taken that opportunity of delivering them. But he hoped that the effect of the hon. Gentleman's speeches would not be to raise a general discussion, and he would not follow the hon. Gentlemen through the whole of their speeches, because he thought that the House would be unwilling to go fully into the subject on the present occasion; but if he were so to follow the hon. Member for Montrose he thought he could prove to him that his assertion that the consumption of tea had fallen off was not correct; he thought he could prove to him also, that the consumption of tobacco had not fallen off. He thought, moreover, he could prove to him that there was no reduction in the consumption of coffee. The fact was, as the hon. Gentleman would remember, that there had been a reduction of duty on coffee, and consequently a smaller amount of duty paid did not necessarily indicate a falling off in the amount of the article consumed. The hon. Member for Coventry (Mr. W. Williams) also, he thought, had come to some erroneous conclusions on some important points, but the most important matter that the hon. Gentleman insisted on was this, that the House ought first to ascertain what was the amount of the revenue before they proceeded to vote the estimates. It was quite true that a private individual might do something like this with advantage; it might be possible for him to find accurately the state of his yearly income, and reduce his expenditure accordingly by retrenching superfluities; but in a great country like this such a course was wholly impracticable; the amount of expenditure must necessarily depend on a variety of considerations, and the amount of revenue which might be required in any year could not always be made to depend even on considerations of the distress of the country; something must depend on the state of the relations of this country with other powers; something must depend on the likelihood of war,—something must depend on the necessity of supporting the power of maintaining ourselves on a suitable footing with regard to the force kept up by other countries; and the fact was, that if the House, acting on this principle, were to reduce the expenditure so as to admit of a reduction of revenue, they might speedily find themselves in a situation in which they would be led into increased expenditure. In the year 1822 they reduced the expenditure, but that reduction the hon. Gentleman would find led to increased expense. By reducing the military force they had found it was necessary to increase the expense under that head; for it became necessary in consequence to increase the amount of military pensions, and altogether there was a greater expense. Differing, then, from the hon. Gentleman on several points, with many of the principles of the hon. Gentleman he fully agreed. In the present state of the country especially there was every disposition on the part of her Majesty's Government to make efforts to accomplish a reduction of expenditure; but still, looking at all the circumstances of this country, and the situation in which it stood with respect to foreign powers, he said, that supposing the produce of the income-tax should show at the end of next year a material increase of revenue, it would be unjust to calculate upon it as if permanent, intended as it was for present purposes. Under the pressure of taxation which was felt in this country that would be unjust—he said under the pressure of taxation as felt in this country, for he did not agree with the noble Lord that taxation pressed on no country so little as on this. On the contrary, he was confident that the pressure of taxation was the cause which made us unable to undertake many invaluable improvements incapacitated us from making those sudden and prompt exertions which the exigencies of the state might require. But, however this might be, he must say that when the House looked at the estimates of the present year they must have reference, not to the years 1791 or 1822, but to the situation of the country at present; for they could not make reductions in the military and naval establishments with the ease some gentlemen among them did. It was perfectly true that two great wars had been brought to a happy conclusion; but it did not necessarily follow that Parliament could reduce at once the naval and military establishments to what they were before those wars began, or to what they were in 1822 or 1791; they must look not merely to the desireableness of an immediate reduction of the expenditure, but at the very great distance at which those wars had been carried on. Take the case of China. It was quite true that the termination of the war with China would relieve the country from all the expense that was necessary to keep up an active state of hostilities; but although a treaty had been agreed to, the House should remember that it had not yet been ratified by the Emperor of China. In carrying on hostilities with a country so remote and so powerful as that, it might not be consistent with sound policy to loosen too soon the hold we have upon China. We had concluded a peace with China upon our own terms by the exercise of great valour, great perseverance, and also he was confident by the exercise of great forbearance, convincing the public mind of China that we were not the barbarians they described in their public proclamations. He believed that the people of China were surprised by the conduct ot our troops. This he inferred from the apathy of the people when they discovered we were not subject to the charge of being that barbarous race which we had been represented to be. But the House must bear in mind that the Emperor of China had objected to sign the treaty until her Majesty Queen Victoria had signed it. Her Majesty had done so, and it had been sent out to the Emperor, but it had not yet been ratified. He therefore thought there would not be much difference as to the policy they should pursue in not evacuating the possessions they had obtained there altogether for a reliance on the forbearance or good faith of the Emperor of China. That he conceived was a competent reason, although the war had been brought to a most successful conclusion, which it must be a satisfaction to be able to maintain with good-will and amicable feeling towards the Emperor of China, why this country should continue to keep a considerable force in the Chinese Seas. He thought the hon. Gentleman would not dispute this. [Mr. *Hume:* I did not say a word about China. I spoke of Syria.] He was only mentioning the case of China, to show that it did not follow that, because in 1842 the war with China had been brought to a successful issue, therefore in 1843 the expenditure of the country could be reduced to what it was before that war commenced. But he thanked the hon. Gentleman for having mentioned Syria for he (Sir. R. Peel) conceived it was a strong point in favour of the argument which he was then urging. The hon. Member said, that last year we had on the coast of Syria, in the Mediterranean, fifty ships of war, and that we had since reduced them to forty; and the hon. Gentleman asked why this was done? For some reason or other, we had such confidence in the sound sense and good feeling of the French nation generally, that we were not disposed to consider the ravings of the newspapers as the expression of the public sentiments. We knew that the French government and the thinking portion of the nation were desirous to remain on good terms with us. The newspapers, whatever might be their power, were not always the organs of the national will. There was a great commercial community growing up in France, which would ultimately constitute the public of that country, and would have the power of making its opinions and sentiments known and understood independently of the agency of the newspaper press. However important newspapers might be as auxiliaries in supporting and vindicating the honour of their country, yet they were not at all times to be regarded as the exponents of a nation's feelings. But we had confidence in the good sense of the community of France, and, without disputing about whether one country or the other had forty sail or fifty sail in the Mediterranean, we were convinced, so long as a good feeling existed between the two countries, whether one or the other chose to keep up a greater or less force, they might depend upon it it would not increase the danger. Nothing was gained by maintaining an undue amount of force without necessity, and he believed that there was that progress of sound opinion in France, that if any party could for a moment create a war, for the mere purpose of indulging a spirit of military bravado or of unjust aggression, there would be raised throughout Europe a feeling of indignant resistance at its injustice, more formidable than had ever before been known. He was now speaking of Syria, and did not wish to introduce any party considerations, but he might say that he hoped by the end of this year, instead of ten line-of-battle ships, and fifty sail, there would only be four line-of-battle ships, and twenty-five sail of our ships altogether in the Mediterranean. That, he apprehended, would be deemed a pretty considerable reduction. He trusted, too, that the French government, attending only to the true interests of the people, would, like us, see that every expenditure on war like preparations which were not necessary to the protection of a country was only, as it were, so much dead loss. The reductions this year upon the naval, military, and ordnance estimates were not less than 832,000*l.*; the number of men reduced in the navy would be 4,000; but the House would be aware of the necessity of keeping a strong force in China, where its presence might be still necessary. He must observe that any increase of late years had been in conformity with the wishes of the House, and it was at no period consistent with sound policy or real economy to reduce the military, and still less the naval force of the empire, below a certain standard. Not long since, there were threatening appearances, both in the United States and in Europe, which induced Parliament to think that the estimates ought not to be reduced. In the army, the reduction would, he believed, be not less than 5,700 men, but he did not recollect whether that was the precise number. At all events, the estimate was considerably below that of last year. The House might depend upon it that finance committees were not proper judges of the general necessities of a state. Those must be left to the executive government, although he admitted that finance committees might be able to give a sound opinion as to particular diminutions of expense upon isolated points. What ought to be the amount of force for the protection of the interests of the country, must, after all, remain a question for the decision of the executive Government. The Members of the Cabinet must know far better than any finance committee the state of our relations with foreign countries, justifying an increase or a diminution of our establishments. The reduction in the ordnance department, was, he believed, 257,000*l.*; and in the whole, as he had stated, the saving this year would be 832,000*l.* The hon. Member for Montrose (Mr. Hume) had admitted that the demand in the shape of estimates was less this year than last, and in the natural candour of his mind, he would be compelled to give Ministers credit for a considerable saving of the public money. The hon. Member had unquestionably given a very fabulous and imaginary account of the preparation of estimates. The hon. Member had asserted that they were not prepared at the Treasury, but by the different departments. Now, if the case were so, great credit was surely due to the departments for having reduced the estimates by the amount of 832,000*l.* in their own expenditure. The tendency of departments was naturally the other way, and unless some control was exercised over that natural tendency, they found great difficulty usually in making material reductions. But the fact was, these estimates were subjected to great control. The departments had first made them out; then the Treasury, knowing what was the state of the revenue, subjected them to a severe scrutiny. He believed that that course had been pursued in former years by former Treasuries, and he could assert distinctly that the Chancellor of the Exchequer had devoted the greatest attention to the consideration of the estimates. He deeply lamented the state of the revenue; he lamented its inadequacy, and must bear his testimony to the desire of every Member of the Government to reduce the estimates to the lowest possible amount. It was necessary to look at the state of the force in various parts of the world, and not to run any unjustifiable risk by unduly lessening our naval and military force. He thought that matters of detail on these subjects could be better discussed when the estimates were regularly before the House, and every information would then be willingly afforded.

Order of the day read. Question put, that the Speaker do leave the Chair.

DEPUTY JUDGE-ADVOCATE — CASE OF MR. HOSKINS.] Mr. *F. Baring* rose for the purpose of bringing before the House the case of Mr. Hoskins. He said, that this gentleman had been dismissed from his office, as he thought, in a manner harsh and unjustifiable; and, before he detailed the facts, he would say a word or two on the nature of the tenure of offices in the public service. There were very few who did not hold their offices at the pleasure of the Crown, and the Crown had a perfect right to dismiss any of its officers on due cause; that power he would be the last to dispute, but the pleasure of the Crown was one thing, and mere fancy, or political prejudice and feeling in the heads of departments, was another. The prerogative of dismissal had been placed in the hands of the Crown for the benefit of the public service, and, but for the sake of that service, the Crown was not supposed to exercise it; if a dismissal took place, it must be supposed to have proceeded on some grounds which would justify that course to the public and to the House of Commons. The higher offices of state were parliamentary offices, the retention of which depended upon the change of political parties. These were exceptions to the rule, but in general public servants in the employment of the Government, were not removable upon political grounds. Having said thus much, he would now proceed to a statement of the facts of this particular case. In July, 1831, by the death of a gentleman of the name of Greetham, two situations at Portsmouth became vacant: one of these was the office of agent to the Solicitor to the Admiralty, and to this place, the son of Mr. Greetham was appointed by Mr. Jones, the solicitor of the Admiralty, in whose appointment the situation was; the other situation was that of deputy Judge-advocate. The right hon. Baronet, now at the head of the Home Department, was then First Lord of the Admiralty, and in the whole of the transaction he (Mr. Baring) was now bringing under the notice of the House, he was bound to admit that his right hon. Friend had conducted himself most unexceptionably. The question arose in 1831 how the office of deputy Judge-advocate at Portsmouth was to be filled. Mr. Greetham had been paid partly by a salary, and partly by so much a day for the time he was employed. The right hon. Baronet was of opinion that the office of deputy Judge-advocate was not necessary, and he accordingly abolished the office and its salary. Still it was necessary that the business at Portsmouth should be done, and it was determined that a person should officiate as deputy Judge-advocate, and should be appointed for that purpose. The duties of the officiating Judge-advocate were to be precisely the same as those of the deputy Judge-advocate, only he would receive no permanent salary. Sir James Macdonald brought forward the name of Mr. Hoskins, as a fit person to discharge the duties, and he could bear witness to the pains the right hon. Baronet (Sir James Graham) took to ascertain the merits and capabilities of the individual. Mr. Hoskins was perfectly well qualified for the situation. Were not the Speaker in the Chair, he might, he believed, appeal to him confidently upon that point. The right hon. Baronet (Sir J. Graham) had not failed duly to inform himself without reference to political opinions of Mr. Hoskin's capability. His late colleague, Mr. Carter, from his personal knowledge and legal habits, was of all men most capable of forming an accurate estimate, and he had borne ample testimony to the claims and merits of Mr. Hoskins. The evidence of Mr. Carter on the subject was the less exceptionable, because he was personally desirous of promoting the claims of another party. Undoubtedly, Mr. Hoskins was exceedingly anxious, not for the additional salary, but for the rank of the office of deputy Judge-advocate, on two grounds, one of which was, that it had always been looked up to in his profession as a fair object of ambition. He, therefore, made an application for the pnrpose, but it was refused by the right hon. Baronet. Another reason was, that some of the friends of Mr. Hoskins apprehended that if he, who was a liberal, were appointed deputy Judge-advocate, advantage might at some time be taken of the change in the name of the office, in order to remove him, on a change of Government. In answer to that fear, when stated to the right hon. Baronet, he said, "So long as Mr. Hoskins discharges his duties properly, he need fear no dismissal." Unfortunately, the friends of Mr. Hoskins had prognosticated but too truly; in January, 1843, without the slightest previous notice, that gentleman received a letter from Sir John Barrow, as Secretary to the Admiralty, couched in the following terms:—

> "Sir, I am commanded by the Lords Commissioners of the Admiralty to acquaint you that they have appointed Mr. G. Lambert Greetham to succeed you in officiating as deputy Judge-advocate in trials by court-martial. I am, Sir, your obedient servant,
>
> "JOHN BARROW."

During the whole period that Mr. Hoskins had discharged the duties of his office, not the slightest dissatisfaction had been expressed, and several officers who had presided at courts martial had declared that Mr. Hoskins had conducted himself most efficiently. In his letter in reply to the official announcement of Sir John Barrow, Mr. Hoskins said, that he felt it due to his professional reputation respectfully to inquire whether his removal from his office had been occasioned by any dissatisfaction in reference either to the discharge of his public duties, or to any other part of his conduct while officiating as Deputy Judge-Advocate. His inquiry was applicable not merely to the performance of his official duties, but to the whole of his conduct, and the answer he had received was, that no cause of complaint whatever existed, but that the Lords of the Admiralty did not consider the situation he held one for life, but merely to be held during her Majesty's pleasure. There was, in fact, no situation in any of the public departments to which the same answer would not apply, and he was at a loss to divine for what cause Mr. Hoskina had been removed. A degree of secresy prevailed in the borough of Portsmouth upon the subject, but the opinion of the great majority of the inhabitants was decidedly in favour of Mr. Hoskins, and the belief was, that he had been dismissed because he was a Whig, and that Mr. Greetham had been appointed because he was a Tory, and because he was the brother-in-law of Sir Lucius Curtis, who had considerable influence, and had been the chairman of Sir

George Cockburn's election committee. He should really be glad to know what were the true grounds of the removal of Mr. Hoskins, of whose character he would now speak with the same sincerity as if he were giving evidence in a court of justice. He was a man of high professional knowledge, of singular ability, of the strictest honour, and his private character was without stain. So high was the estimate formed of him in Portsmouth, that when a recent election of mayor took place, and for two days considerable difficulty was found in procuring a majority for either party, the name of Mr. Hoskins was mentioned, and he was at once voted into that important office. He still held it to his own pecuniary loss, and to the injury of his business. He had recently heard some ground stated as the reasons for the removal of Mr. Hoskins, but he could hardly give credit to them. It was said that the present Lords of the Admiralty had thought proper to re-create the office which the right hon. Baronet in 1831 had abolished, and that Mr. Greetham had been appointed deputy judge advocate; it was further to be urged, as he understood, that the nomination of Mr. Hoskins was only temporary, and that, in fact, while he officiated, the office was in abeyance. If such were to be the defence, at least the right hon. baronet (Sir James Graham) could not concur in it. He must be well aware that the intention was not to make Mr. Hoskins a mere stop-gap, for the right hon. Baronet had said that Mr. Hoskins need not fear removal, as long as he properly discharged the duties of the office. If it were to be said that the Lords of the Admiralty had appointed Mr. Greetham to a new situation, the answer was, that he had been appointed to the very situation which Mr. Hoskins had so long filled. If such an arrangement were in contemplation, it was somewhat surprising that Mr. Hoskins had no notice of it, and that he was not previously informed, that in consequence of the revival of the office of deputy judge advocate, his services would be dispensed with. On the 9th of January, 1843, courts martial were held, and in what capacity did Mr. Greetham appear before them? Precisely in the capacity of Mr. Hoskins; and to show that such was the fact, he need only say that the warrants were signed by the presiding officer. At what time, then, was the new change of office made? When did the Admiralty discover the necessity of re-creating the office which had now been conferred upon Mr. Greetham? He had hitherto argued the question merely as if a common clerk in the Treasury, Excise, or Customs, had been summarily dismissed; but if there was one officer more than another who ought not to be dismissed without good cause assigned, it was a person placed in the situation of Mr. Hoskins. The judge-advocate on naval courts martial had frequently to perform the part of a judge, and he was called upon, in his instructions from the Admiralty, not merely to deliver his opinion, if asked, but to give his opinion whenever he thought it necessary, on the legality of the evidence, or on any other part of the proceeding. Thus he was frequently the adviser of the court, and his appointment had something in it of a judicial character. He did not mean to insinuate that the Admiralty had made the change with any view of rendering the office less independent; he believed they only were anxious to provide for a political friend, but as a general question, he begged the House to consider what might be the effect, if the person who was the adviser of the court was understood to hold his office merely at the will and pleasure of the Admiralty, and might be at once turned out of office, without mercy or consideration. It was too much to expect that a man so circumstanced would show any stern independence of the Admiralty on any occasion when it might be required. Great injustice had been done to a most competent, honourable, and worthy man, and it was necessary that some sufficient cause should be assigned for a course so unprecedented. The right hon. Gentleman concluded by moving as an amendment to the motion for a committee of supply—

"That there be laid before this House, copy of any letter from the commander-in-chief at Portsmouth, dated the 18th day of August, 1831, appointing Mr. Hoskins to officiate as Deputy Judge-Advocate at that port, together with a letter containing the directions of the Lords Commissioners of the Admiralty referred to therein."

Sir *G. Staunton* seconded the motion. It was unnecessary for him, after the speech of the right hon. Mover, to address any lengthened observations to the House; he would content himself with expressing his entire concurrence in the view taken by the right hon. Gentleman. He could not sit down, however, without taking this opportunity of bearing his testimony to the high character, perfect integrity, and impartiality with which, it was admitted on all hands, Mr. Hoskins had performed the duties, both of that office from which he had been dismissed in a manner so unexampled, and the office of mayor, to which he had been elected, under unusual circumstances, by the unanimous vote of his fellow-citizens. He should have supposed that Mr. Hoskins, from his moderation in politics and his popularity even amongst his opponents, would have been the last person to meet with this mark of, at least, implied censure.

Mr. *Sidney Herbert* thanked the right hon. Gentleman for his offer to postpone the discussion, if it would be in any measure annoying to the gallant Admiral (Sir George Cockburn); but there was nothing that could be annoying to him. The simplest and best method for him to take, to put the House into possession of the motives of Admiralty, was to state the facts of the case in a short and clear manner. The House was probably aware, that by an act passed in the reign of George 2nd, the proceedings on courts-martial were regulated. By this act, in the absence of the deputy judge-advocate, it was the duty of the court-martial to proceed to elect some person *pro hac vice* to fill the office. The custom on foreign stations and of late years, had been to select the Admiral's secretary, or if not the secretary, an intelligent purser, or if not a purser, the most intelligent person whose services they could command. Up to the year 1832, as had been stated by the right hon. Gentleman, Mr. Moses Greetham was deputy judge advocate at Portsmouth. On his death his right hon. Friend the Secretary of State for the Home Department declined to fill up the appointment. Among the many changes which were made at that time, he abolished the office, and wrote to Mr. Hoskins, stating that he would be recommended by the Admiralty to officiate as deputy-judge advocate. Under this arrangement, Mr. Hoskins was elected, by the different courts-martial held at Portsmouth, to officiate in each case, *pro hac vice*. He was appointed so far as his right hon. Friend had a right to appoint, but the courts'-martial had a perfect right to confirm the appointment or not. At the trial of Captain Toup Nicholas for the loss of her Majesty's ship, Vindictive, Sir Edward Owen, seeing Mr. Hoskins present at the court-martial, asked why he was present, and then desired him to retire, when the court-martial proceeded to his election. It had been usual at each court-martial to nominate Mr. Hoskins; but in one instance, the court nominated Mr. Greetham, as they had a perfect right to nominate the deputy judge-advocate. During the course of the last winter, it was thought advisable by the Board of Admiralty to send a deputy judge-advocate to act on a court-martial to a foreign station. On sending for Mr. Jones, the solicitor to the Admiralty, however, the board found that there was no such person as a deputy judge-advocate, or any one they could send. He was able, most fortunately, to depose to what took place at the board, having been present at their conversation. It naturally struck the Admiralty that this want was extremely inconvenient in their proceedings, and that it was not quite right to place the Admiralty in the false position of recommending a person to officiate as deputy judge-advocate who might be refused by the court-martial. They thought it the duty of the Admiralty, therefore, to secure for the public the services of a gentleman who was notoriously and eminently worthy of the office. The last thing he would think of doing would be to discharge Mr. Hoskins. He admitted every word that the right hon. Gentleman had said as to his qualifications and character. He understood that Mr. Hoskins was a person of high standing and reputation; and the more freely he admitted the excellent character of Mr. Hoskins, the less suspicion would there be that he or the board entertained any ill-feeling towards Mr. Hoskins himself. Mr. Hoskins, as had been stated by the right hon. Gentleman, had, on his original appointment, or rather on the receipt of a promise that he should be recommended to courts-martial for their appointment, addressed a memorial to the Board of Admiralty complaining of his not being appointed regularly as deputy judge-advocate, in which he had called the attention of the board very clearly, and as he (Mr. Herbert) thought very convincingly, to the inconvenience of not having a deputy judge-advocate, as he conceived, and asked, on account of the public service, to be put upon the footing of a deputy judge-advocate, stating that he was willing to take the office without receiving any salary; that proposal was not, however, accepted by the Board of Admiralty. Mr. Hoskins, however, in his memorial, stated strong reasons for the appointment of such an officer, in which he agreed. After the conversation at the Board of Admiralty to which he had alluded, it was determined that the office should be re-established. Mr. Jones, the solicitor, was consulted as to who was the most proper person to fill the situation. Mr. Hoskins filled no situation under the Admiralty; indeed, he held no situation except that to which he might be elected by the courts martial. Mr. Hoskins' claim, therefore, would be that for eleven years he had officiated as deputy judge-advocate and had borne a high character, whilst Mr. Greetham's claims would be that many years before Mr. Hoskins officiated he did, in consequence of the age or illness of his father, perform the duties for him. Mr. Greetham had been appointed by Mr. Jones, the solicitor to the Admiralty, not because of any personal feeling, but in consequence of the confidence he had in him, who, as agent to the solicitor for the Admiralty, had had to solve questions on law points raised before the courts-martial. The right hon. Gentleman had prefaced his speech with some sound constitutional doctrine as to the removal of officers of the Crown, with the view of applying them to this case. He (Mr. S. Herbert) fully coincided in the right hon. Gentleman's views, but the right hon. gentlemen would admit that the Board of Admiralty, who were responsible for disposing of the patronage of the Crown, had the right to appoint such persons as they might think most fit. It was supposed that the appointment was made to assist a political supporter, but the proposal to Mr. Greetham was, whether he would accept the office of deputy judge-advocate without a salary; and his reply was that he would take the office without a salary. [Mr. *F. T. Baring*: Not without any remuneration, I suppose.] He offered to take the office without salary. Of course he would have the same remuneration as the officiating deputy, but there would be no additional expense to the country, or burden on the public. A letter was written to Mr. Greetham on the 22d December, 1842, asking whether he would accept the office of deputy judge advocate, and he had answered that he would. That was the state of the case. It was decided by the Board of Admiralty that for the good of the public service the office should be re-established, it was found to be inconvenient to be without this officer; it was decided that the office should be re-established without salary, it was proposed upon those terms to Mr. Greetham, and he accepted it without salary. He thought, therefore, that the appointment of Mr. Greetham would not be objected to. He came now to a part of the case into which he could not enter without feeling much difficulty. On the 22d of December the proposal was made to Mr. Greetham. He was cognizant of the whole proceeding, and he could give his assurance to the House that there was no intention on the part of the Board of Admiralty to act politically, and that no mention was made of politics in any way whatever in that conversation. He was present, and now repeated the conversation: he was speaking in an assembly of gentlemen, and he was speaking on his own authority, when he said that there was no question raised as to politics. This, he believed, that political considerations would not have induced the Government to supersede Mr. Hoskins. A few days after this, on the 31st of December, a letter was written to that gentleman. For that letter he was himself responsible, as secretary to the Admiralty. He thought it better, when an error had been committed, frankly to avow it. He had left town, with the matter as he had just stated it, and then, in perfect ignorance of the nature of the transaction. Sir John Barrow, who evidently thought that Mr. Hoskins was deputy judge-advocate, and was to be superseded, wrote the letter. On his return to London he was informed of the letter written by Mr. Hoskins, requesting an explanation. He thereupon caused a regular warrant to be made out, by which Mr. Greetham was regularly appointed deputy judge-advocate, and the letters written in error were cancelled. The date of the warrant he had not got, but it was subsequent to the correspondence and the letters written in complete ignorance of the facts of the case, and indeed in direct contradiction of the facts of the case, and of the intentions of the Board of Admiralty. It was thought necessary to have a deputy judge-advocate that he might be sent to any place. If Mr. Greetham had resided at Plymouth, instead of Portsmouth, he might doubtless have been appointed without complaint. Mr. Greetham had been represented to the Board as a most qualified person, and he resided at Portsmouth, which, being nearer to London, and with easier communication, was thought to be a preferable place to Plymouth for the residence of such an officer; and he had already the confidence of the Board of Admiralty, acting as agent for the solicitor to the Board. He hoped, therefore, the House would be satisfied, although the letters were written in ignorance of the facts, and written in error; and he regretted, any seeming want of courtesy in conveying to Mr. Hoskins the intention of the Admiralty to make the change—that he had taken the earliest opportunity of correcting the error. So far from having displaced this gentleman from office to substitute another of different political opinions, or that to provide for a supporter they had created the place, the Board of Admiralty had found that public inconvenience had resulted from the want of this officer; they were acting as they thought right, and for the best interests of the service; they re-established the office, and they did not turn any one out of office, because Mr. Hoskins held no office. The gentleman who had been put into the office so re-established had been recommended to the Board of Admiralty as eminently qualified for the duty of the office, and he had claims upon the Admiralty long prior to the time when Mr. Hoskins was permitted to officiate as deputy judge-advocate. He trusted that the House would now be satisfied with the motives of the Admiralty in the course they had pursued; certainly there was great misapprehensions in the three letters which had been referred to, and they were written in error. The whole of the papers which the right hon. Gentleman wished, and the whole of the correspondence in the possession of the Admiralty, showing the history of the case, he was perfectly welcome to, and they should be laid upon the Table of the House.

Mr. *Charles Wood* would not insinuate an opinion as to whether Mr. Hoskins was fitter than Mr. Greetham, or Mr. Greetham fitter than Mr. Hoskins to fill this office. There might, perhaps, be some slight advantage in re-establishing the office of deputy judge-advocate; but for the last eleven years the business had been conducted at Portsmouth, as far as he knew without complaint; it was at this moment conducted at Plymouth by a person officiating as deputy judge-advocate, and his right hon. Friend (Sir James Graham) had, doubtless, changed the system at Portsmouth, because for many years back the service at Plymouth had been so well conducted. It was always so conducted on foreign stations. Therefore, when his hon. Friend opposite said that it was necessary to re-establish the office, he did not say that there was not some reason for it; but he must observe that the public service had been conducted practically without the slightest difficulty; and when without notice to the individual, or any special ground for condemnation, there was a removal, he must say that towards that individual the transaction was unjust. His hon. Friend in giving them the history of the case, had mentioned a conversation in which there was no mention of politics, and hon. Members on that (the opposition) side of the House cheered. He assured his hon. Friend that all they meant by this cheer was that they never supposed, at the moment of this conversation, that it was openly stated that Mr. Greetham was the brother-in-law of the chairman of Sir George Cockburn's committee, or that Mr. Hoskins had been active on the part of his right hon. Friend (Mr. Baring). His hon. Friend, however, would hardly induce the House to believe that the politics of both gentlemen were not perfectly well known, although they were not mentioned at the board, or that political bias was not effectual on that account. His hon. Friend had said that Sir John Barrow supposed that Mr. Hoskins was to be superseded in the office of deputy judge-advocate. The letter, however, showed the very reverse. The whole statement of his hon. Friend was founded on the supposition that Mr. Hoskins was not a deputy judge-advocate, and therefore could not be turned out. Nothing could be so precise as the letter of Sir John Barrow to Mr. Hoskins on this point: it said that another person was appointed to "succeed him as officiating deputy judge-advocate." If it had been necessary to appoint Mr. Greetham deputy judge-advocate, and he had been so appointed, the communication to Mr. Hoskins would naturally have been a statement that the board had thought such an officer necessary. There was no such statement in the letter of Mr. Hoskins. It did not say that Mr. Greetham was appointed deputy judge-advocate, but that he was to succeed to Mr. Hoskins in officiating as deputy judge-advocate, and nine or ten days afterwards they found him officiating in that capacity, but not holding an appointment as deputy judge-advocate. From the correspondence, he was inclined to think that the Admiralty finding they had made a mistake, thought they should make a better case if they appointed a deputy judge-advocate. Did it ever occur to the Board of Admiralty to ask Mr. Hoskins whether he would like to accept the office of deputy judge-advocate with the same pay? Would not this have been a fairer way of treating an officer who had satisfactorily discharged his duty for eleven years, and towards a public servant liable to no reproach? It would have been fairer towards Mr. Hoskins, and would not have increased the cost to the service. It was believed in Portsmouth that the change had been made from political motives, and he must say that the facts, as they had been brought before the House, would bear out that belief. It was true in point of form that Mr. Hoskins was appointed *pro hac vice.* He was perfectly aware that one court-martial could appoint and another not; but this was a technical objection, which he did not think of much value. Did not courts-martial both at home and on foreign stations invariably appoint the officiating deputy judge-advocate recommended by the commander-in-chief. During the last eleven years the commander-in-chief had practically appointed Mr. Hoskins to be officiating deputy judge-advocate at Porstmouth. Upon what terms was he first appointed—or in the confusion of terms, perhaps, he ought to say named? The commander-in-chief at Portsmouth, Sir Thomas Foley, wrote to him, stating that he had received the direction of the Admiralty to employ him as officiating deputy judge-advocate, and adding, "whenever a court-martial is assembled, I shall call upon you." But there were certain duties to be performed before the court-martial assembled. In practice, it was impossible that a court-martial could proceed without some preliminary proceedings by the person who would afterwards be the officiating judge-advocate and by Admiralty order Mr. Hoskins was paid for such services, which were rendered previous to his appointment by each court-martial. However good, therefore, his hon. Friend's objection might be technically, it was practically not worth much. Would his hon. Friend contend that the technical point of Mr. Hoskins being appointed *pro hac vice* deprived him of the equitable right of being appointed by the Admiralty? When Mr. Hoskins was named, his right hon. Friend (Sir James Graham) assured him that no change of Government would deprive him of the equitable right, and that he might consider his appointment permanent. The technical objection did not go one iota towards removing the equitable claim. No ground was shown for depriving Mr. Hoskins of his appointment. It was only for the House to draw its own inference of what the motives for the change might be; he (Mr. C. Wood) had a strong suspicion that they were political motives, and that a wish to provide for a person whose political opinions agreed with the Government had been a ruling motive. There had been no necessity for changing Mr. Hoskins. He (Mr. C. Wood) had filled the same office as his hon. Friend; he had been Secretary of the Admiralty; and he had also held another office, more connected with the political disposition of favours, and he must say, that he hardly knew of an instance in which political bias had interfered with the performance of his duty to a public servant.

Sir *Charles Napier* said, that it was extremely disagreeable, when two hon. Gentlemen were pitted against each other, if one had been, and the other was secretary to a department, for they were sure to let the cat out of the bag. He was sorry to find that it had fallen to the lot of his hon. Friend, the Secretary of the Admiralty, to defend the appointment, because his hon. Friend was too honest a man to defend it well, and a worse defence than his, when a notorious job had been done, he had never heard. His hon. Friend said, that Sir Edward Owen, sitting upon a court-martial on the trial of Captain Troup Nicholas, went up and asked Mr. Hoskins what he did there, although he might naturally have expected to see him in his usual place. Now, he would ask whether this was not a sort of a feeler put out by the Admiralty, to let Mr. Hoskins know that he might be turned out one of these fine days, when it might suit the Admiralty to appoint his successor. It was done in a very excellent manner—he had never known anything done better. His hon. Friend (Mr. C. Wood) had said rightly, that the officiating deputy judge-advocate was invariably recommended by the Commander-in-chief; and that, before a court-martial could take place, evidence must be summoned by the person who was to be afterwards appointed officiating deputy judge-advocate. Did they suppose that the members of courts-martial, who were always too happy to do as the admiralty wished, would have objected to Mr. Hoskins, who had been officiating deputy judge-advocate for eleven years before? He believed, that more courts-martial took place abroad than in this country. He had been in the service forty-three years, and he had never seen any difficulty, nor had he heard of any deputy judge-advocate being sent abroad to officiate. He therefore thought that upon that point his hon. Friend's justification must fall to the ground. Then they were told that Mr. Moses Greetham's son had frequently officiated for his father: he might have done so during illness; he had, however, sat on some courts-martial with the gallant Captain, the Member for Aberdeen (Captain Gordon), and he did not recollect one instance in which Mr. Moses Greetham did not act. This was not the first case of the kind which had occurred since the present Government had come into office. It would be fresh in the minds of hon. Gentlemen that in the course of the last Session of Parliament, the hon. Member for Brighton (Captain Pechell) had mentioned the case of a purser at Cork, a Whig, who had been superseded from a situation which he held, upon a suggestion that a naval officer was best fitted for the discharge of its duties, and a lieutenant appointed. At the same time, the Board of Admiralty superseded a captain who held an office at Deal, and put a clerk into his place, not in the navy, but who had served at the admiralty. With regard to the present case, he viewed it as an undoubted job, and he thought that the board of admiralty would have shown more discretion if they had been contented to carry out their views in a more reasonable and decent manner.

Captain *Gordon* observed, that the date of the letter which was written to Mr. Greetham, asking him whether he would accept the office of deputy judge-advocate, was sufficient to prove that the second letter must have been written in error. According to the act of Parliament, the Board of Admiralty had no power to appoint any other individual to officiate at a court-martial except the judge-advocate or his deputy. By a clause in the 22nd George 2nd, it was distinctly stated, that in the absence of the judge-advocate and his deputy, the court-martial should have full power to name any person they might think fit. Finding that inconvenience had arisen from there being no deputy judge-advocate, the admiralty thought it necessary that such an appointment should take place, and considering that Mr. Moses Greetham, the father of this gentleman, had filled the office for thirty-five years, and that this gentleman had officiated during his absence from illness, they thought his claim as strong as that of any other person. It must have been inconvenient for the chief magistrate of such a town as Portsmouth, like Mr. Hoskins, to be ordered to a distance to attend a court-martial.

Captain *Rous* said, that the ground of this motion was a suggestion that the present Government had been guilty of jobbing. How was it, he begged to ask, that when, some time ago, an officer was sent home from a foreign station, having just escaped a court-martial, because he happened to make a liberal speech at a dinner in favour of the noble Lord (Viscount Palmerston) who was then standing for the county of Hants, he should be immediately appointed to a new command? There was no place in the United Kingdom, he believed, in which more jobbing had taken place than Portsmouth, especially during the last ten years. Every situation in the Customs and Excise had been filled by the supporters of the right hon. Gentleman, who had brought forward this motion. With regard to the present case, he maintained that the situation held by Mr. Hoskins had been in abeyance, and he believed that the appointment of Mr. Greetham had given the highest satisfaction to all the old officers of the navy.

Viscount *Ebrington* addressed a few words to the House which were inaudible in the gallery.

Captain *Pechell* declared, that a more monstrous job than the dismissal of Mr. Hoskins, and the appointment of Mr. Greetham, had never been perpetrated.

Captain *Plumridge* begged to ask a question. He had heard it suggested, that Mr. Greetham had been appointed deputy judge-advocate, because such an officer might be wanted to go abroad. Was this the real cause of Mr. Greetham's appointment?

Mr. *S. Herbert* said, that Mr. Greetham had been appointed, when it was found that there was no such officer as a deputy judge-advocate in existence if he should be required to go abroad.

Captain *Plumridge* would venture to say, that in his experience of forty-three years he had never known of an instance of a judge-advocate being sent abroad.

Viscount *Palmerston* begged most sincerely to congratulate the Government that they felt so satisfied at the defence made by the hon. Gentleman the Secretary to the Admiralty that no other member of the Government thought it necessary to address any observations to the House. He would describe things as they were, and there never was a clearer case than the present of an officer being dismissed from his situation, and another appointed in his stead, solely for political reasons—of the dismissal of one man, because in political principles he was favourable to the party in opposition—of the appointment of another because he was an active partisan of the party in power. The principle of selection on account of political opinions, was one, he thought, which might fairly and reasonably be adopted in all cases where the officer in reference to whom it was applied could be considered to be in confidential connection with the Government; but in cases of officers who held situations of a judicial or executive character merely, that principle was never acted upon. Cases might be mentioned in the executive departments of the Government, where persons high even in the confidential employment of the Government were not changed upon a change of Administration, clerks who were in situations which necessarily rendered them the depositaries of secrets, and who were entrusted with the daily administration of the Government, were not discharged or retained in their office with reference to what might be their political opinions. Even in the department over which he had had the honour of presiding, namely the diplomatic service, the same rule prevailed, and although the persons who discharged the duties of the more important embassies were usually changed upon a change of Government at home, yet it seldom happened, except in special cases, that even the Ministers Plenipotentiary were changed, and the officers of lower rank were never removed on such grounds. He thought that the same rule ought to prevail in cases like the present, and that no reason of mere political bias ought to prevail, to induce the Government to exercise the power of removal which was unquestionably vested in them. He must say that the defence which had been set up in this case by the hon. Secretary to the Admiralty, was more honourable to his candour, by reason of its failure than it was advantageous to the Government in relation to the transaction under discussion. First, it was said that it was necessary to have as deputy judge-advocate at Portsmouth, a person who might, if necessary, be sent abroad; and that because Mr. Hoskins happened to be mayor of Portsmouth this year, he could not be employed in any service which would call for his absence from England. He had no doubt that if the option had been put to Mr. Hoskins, and the necessity of the case had been pointed out to him, he would willingly have resigned the temporary honours of his mayoralty for the more permanent advantage of the office which he had hitherto held. But was Mr. Greetham a person who was available for foreign service? Did he hold no other office which tied him down to Portsmouth? He was not mayor undoubtedly, nor was it likely that the choice of his fellow-townsmen would ever impose the duties of that office upon him, but it appeared that he held three offices of considerable importance, namely, those of agent for the Ordnance, of agent for the Customs, and of agent for the Admiralty, the duties of each of which were connected locally with Portsmouth. If these three offices were of such a character as to leave Mr. Greetham available for employment abroad, in the situation to which he had been appointed in suppression of Mr. Hoskins, he thought that the House would agree with him that the Admiralty, and the Customs, and the Ordnance might well be spared the expense of appointing such agents at all. Then it was said that there had been a mistake made by Sir John Barrow. That Gentleman, however, had been long at the Admiralty. There was no man engaged in the public service more generally accurate than he, and he was a man who had a peculiar faculty of making himself fully informed on questions which called for his attention. It was said, that it was originally intended to substitute for this officer elected on each occasion, by each court-martial, a permanent officer appointed by the Crown; and that being the case, it was intended to appoint a person who was thought fitter for it than Mr. Hoskins—not in a professional point of view, because the hon. Secretary to the Admiralty, fully admitted the high professional merits of Mr. Hoskins, and by some process of reasoning, which he could not follow, seemed to have arrived at the conclusion, that the higher the professional character of that gentleman was, the stronger were the reasons for depriving him of his office. But with regard to the appointment held by Mr. Hoskins, it was said, that that was not an appointment of the Government at all, for that the officiating deputy judge-advocate was elected by each court-martial. But taking this to be so, and trying the question by analogy, how, he asked, were the bishops appointed? There was no appointment more universally understood to be in the discretion of the Crown than the appointment of a bishop, but it was made by means of a permission to elect given to the chapter by the Crown, and yet he supposed they would not be told the responsibility of such an appointment did not rest with the Government, merely because, in point of fact it had technically been made by the chapter, who had been authorised by the Crown to make the election. He would take another case—that of a knight of the garter. The knights of the garter were elected by ballot; yes, actually by ballot. The course of election was this: The knights were assembled in chapter, each knight wrote secretly on a piece of paper the name of the individual whom he wished to be elected, and the carefully folding up the paper so written upon, gave it mysteriously to the proper officer of the Order; all the papers being thus collected, and being examined by that officer, it invariably happened that the person designated by the Crown was declared unanimously elected to the vacancy. But any one would be laughed at who said that the Crown had nothing to do with the election. The mere technical fact, therefore, in the present case, that the deputy judge-advocate was elected in each particular case by the court-martial, was no proof whatever that the appointment of officiating deputy judge-advocate was not conferred by, and held at the pleasure of the Admiralty. But referring to the letters of Sir J. Barrow, it was clear from them that the Board of Admiralty deliberately and advisedly intended to remove Mr. Hoskins from some situation from which they conceived they possessed the power to remove him, or in which they believed they could retain him if they had chosen to do so. If this were not so, surely, when Sir John Barrow replied to Mr. Hoskins's remonstrance, he would have explained that the Board of Admiralty were not the persons who made the appointment, but that it was made by the election of the courts-martial. Instead of saying as he did that the appointment was held during the pleasure of the board, he must say, that at all events, he thought that the letters which were written were devoid of that courtesy which the circumstances of the case required, and that something should have been done to soothe the wounded feelings of Mr. Hoskins, and to show that his removal did not imply any disadvantageous opinion of the manner in which he had performed his duties. With regard to the denial of the hon. Secretary to the Admiralty, that the political opinions either of Mr. Hoskins or Mr. Greetham were discussed at the meeting of the Board at which the latter was appointed, he gave the hon. Gentleman full credit for the truth of his statement. Such a discussion would have been wholly supererogatory. As well might the right hon. Baronet opposite have discussed with the First Lord of the Admiralty the political opinions of the hon. Gentleman himself, before he offered him the situation which he now held as a Member of her Majesty's Government. The political opinions of the hon. Gentlemen were too well known to require to be discussed, and those of Mr. Hoskins and Mr. Greetham were just as notorious to the Board of Admiralty. Looking at the facts of the particular case now before the House, he thought that any man who could put two and two together, could come to no other conclusion than that the appointment was the result of preference for a political partizan. The hon. Member for Westminster (Captain Rous) had remarked on the course taken by the late Board of Admiralty in reference to a gallant Officer who had supported him (Viscount Palmerston) in his election for South Hants; and it was said that that Board had in that case indulged in a preference for a political partizan. With regard to that officer, he begged to say that that officer well deserved by his professional merits the promotion he had obtained. He did not mean to say, that the late Board of Admiralty had not shown a proper degree of favour for their friends—it was very natural that they should, all Governments of course do so; what he objected to was the shewing favour to friends, but the wreaking of vengeance on opponents. The expulsion of one officer from a situation which he held, for the sake of promoting another. But with reference to the conduct of the late Board of Admiralty in such matters he would state the fact, that at the same election for South Hants, at which he was a candidate, another naval officer had been most active in opposing him, and was almost the only person at that election the warmth of whose zeal might have justified criticism as to the manner in which he displayed it; but that officer, nevertheless, obtained a ship a few months after the election was over. He had just professional claims to employment, and the First Lord of the Admiralty did not think that his activity at the election ought to be any bar to those claims; and if he (Lord Palmeston) had had any voice in the matter he should have been ashamed of himself if he had interposed any objection. It appeared to him, that in the present case, there was no defence whatever. It would have been better for the Government, instead of raising such a defence, to have said, "We find that the people of Portsmouth, in spite of the influence which the dockyards might be supposed to give us, continue to support the late Chancellor of the Exchequer — we are, therefore, determined to bring all our force to bear on the voters, and we have thought fit to place this office in the hands of a friend, rather than to leave it in those of an opponent." He hoped that the notice which had been taken of the case in that House, and the honourable testimony which had been borne on all sides to the respectability and professional fitness of Mr. Hoskins, would be satisfactory to the feelings of that gentleman and his friends, and that the irregularity which had been committed in this instance would be the less likely to recur, in consequence of what had fallen from hon. Members in the course of this discussion.

Mr. *B. Escott* was surprised, knowing the cause of the present motion, that its advocates should have been soft enough to make the exhibition they had that night. The inference he drew from it was, that the preferment must be very valuable, and the jobs very rich, the loss of which was made so much noise about.

Sir *R. Peel* said that, not being a Hampshire man, he felt some apology was due for taking part in the debate after the length to which it had already extended. His hon. Friend the Secretary of the Admiralty was willing to give the papers, and the whole transaction would appear when they were produced, and if there should appear to be any parliamentary ground to call the attention of the House to the matter, the right hon. Gentleman could then do so. He rose, however, for the purpose of observing that he thought that the noble Lord had put something like an unfair interpretation on some part of the transaction. As for the letter of Sir John Barrow to Mr. Hoskins, he admitted that, on the first reading of the letter, it did imply some expression of disapprobation towards Mr. Hoskins; but his hon. Friend had distinctly stated that this was not the case, and had expressed his regret that, in the communication to Mr. Hoskins, there was an apparent harshness which was not intended. He was sure that his hon. Friend would not have written so, and he thought nothing could be more fair than the course taken by his hon. Friend in acting differently, as he did, from Sir John Barrow. The noble Lord had referred to the letters of Sir J. Barrow, written on the 31st of December and on the 3rd of January, which, on the face of them, stated that Mr. Greetham was to succeed to the performance of the duties of deputy judge-advocate at Portsmouth. The noble Lord, however, should recollect the letter of a prior date, which implied that, under the new arrangement, Mr. Greetham had been selected to fill the office of deputy judge-advocate. The communication was dated the 28th of December, and stated that the writer of it had been directed by the Lords Commissioners of the Admiralty to ask whether the acceptance of the office of deputy judge-advocate at Portsmouth, without a salary, would be acceptable to Mr. Greetham? The letter showed that the situation always contemplated was the appointment of a deputy judge-advocate under certain new arrangements. The hon. Member for Halifax had himself admitted that much might be urged in favour of certain new arrangements respecting that office. [Mr. *C. Wood* had not said a word to justify the removal of Mr. Hoskins.] The hon. Gentleman went so far as to say that advantage might be derived from the re-construction of the duties of this office, but observed that on its re-construction it might have been offered to Mr. Hoskins. Now supposing that this re-construction took place, the question arose as to whether Mr. Hoskins or Mr. Greetham had the prior claim or right to the appointment. Much no doubt might be urged in favour of Mr. Hoskins, in consequence of the manner in which he had hitherto performed the duties of the office, and it had been admitted on all hands that his conduct had been unexceptionable: Mr. Greetham, however, was not merely known as a political partizan, for Mr. Greetham's father had been deputy judge-advocate at Portsmouth for thirty-five years, and Mr. Greetham, jun., had often acted for his father when he was disqualified by age from taking so active a part as he formerly did. At that time the abilities of Mr. Greetham, jun., were fully admitted, and when a vacancy occurred in the office by the death of his father, he was acting as agent at Portsmouth for Mr. Jones, as solicitor for the Admiralty. Now, in the vacancy that then occurred, and Mr. Greetham having so often officiated for his father, had he not a sort of hereditary claim to the appointment. When it was thought advisable by the Board of Admiralty to reconstruct the office, he was far from saying that Mr. Hoskins had not fair claims on their consideration, but the Board considered that Mr. Greetham also had claims, and they could not forget the services of the father. He concurred in the general principle laid down by the noble Lord as to offices held during pleasure, that good conduct during the holding of the offices gave claims for the continuance in them. This was in conformity with the general practice of the Government; and he believed that no Administration had acted more in stronger conformity to the principle than the present Government. He believed that as few changes in office, held during pleasure, when it was considered that employment gave a claim, had taken place as under any other Government. With regard to the office over which the noble Lord presided, namely, the Foreign Office, the noble Lord must admit that as few changes as possible had taken place. He could not conceive a stronger case—not of deputy judge-advocate—than of the diplomatic service of the country, and there was no department of the state in which there was a better opportunity of securing or obtaining political friends, than in connection with diplomacy, and he would venture to assert that in the diplomatic arrangement of the present Government, they had gone as far to show a regard to the claims of former service as any previous Government. He would not make a comparison with the conduct of the previous or any other Administration. The noble Lord said that the Government was entitled to have confidence in those whom they employed, and, admitting this, he would call upon the noble Lord to show an instance in which, as regarded the diplomatic men of the present Government, the claims of service were not attended to, independently of personal politics.

Mr. *Labouchere* did not feel disposed to deny that, in the general distribution of the patronage at the disposal of the Government, the present Administration had acted fairly as regarded the diplomatic service; he did not think that it was too much to say, that they had only acted in conformity with the practice of the Government which went before them. He did not think that the charge could be brought against his noble Friend that, in the disposal of the patronage of his office, he had treated with harshness political opponents whom he found employed when he accepted office. He was sure that if the matter was strictly examined, that hon. Gentlemen opposite would not throw out such a charge. He was sure that the House could not have heard the speech of the right hon. Baronet without coming to the conclusion that this change would never have taken place in this office, if he had been consulted. He was glad to hear the right hon. Gentleman's qualified defence of the change that had been made, but he should have blushed had it been otherwise. He was surprised to hear the hon. the Secretary of the Admiralty say, that in the letter of Sir John Barrow that officer did not express the opinions of the Board of Admiralty. It was long since that he was a Member of that Board, where he sat as a junior Lord, at the time that it was presided over by the right hon. Baronet the Member for Dorchester, and certainly he must say, that that department under the right hon. Baronet's control was admirably managed. Now he knew sufficiently of the constitution of the Board of Admiralty at that time to know, that a Secretary of the Admiralty would rather have cut off his hand than have sent such a letter without the sanction of the head of the Board. He could not conceive a worse defence of the Board of Admiralty, than that a letter should pass which, in tone and temper, was directly opposed to the feelings of the Board. He could not help thinking that the present was a most injurious attempt to cow the electors of Portsmouth. At that place, the Government influence was naturally strong, and therefore political patronage should be exercised with peculiar delicacy.

Mr. *F. T. Baring* said, that he would withdraw the motion on the understanding that the papers were to be produced.

Motion withdrawn. Main question put.

THE OREGON BOUNDARY.] Mr. *Blewitt* said that he had given notice of his intention to call the attention of the Government to the state of the North Boundary question between this country and the United States; but probably it would be more convenient, if he postponed the subject to a future day.

Sir *Robert Peel* said, that he did not anticipate that the hon. Member wished to do more than ask a question, and he would suggest that he should at once proceed.

Mr. *Blewitt* said, that he intended to ask a question, but he should feel it necessary to preface it with a few observations. He had heard with very great pleasure the right hon. Baronet, in the early part of the evening, express his confidence that the good sense of the French people would prevent any collision between this country and France. He hoped that a similar assurance might be made with regard to other parts of the world. From the speech of the President of the United States, and from the debates that had recently taken place in the senate of that country, he had some apprehensions, however, that we might be brought into collision with that country. The collision which he alluded to was likely to arise, in consequence of the debates that had taken place in the senate, respecting the north-eastern boundary. In 1818, an agreement took place between the two countries, respecting the boundary of the United States and our possessions in North America, extending from the Rocky Mountains to the Pacific Ocean. In 1827, the arrangement was renewed for an indefinite time; and it was to continue, as to the disposal of this territory, until notice was given by either party. One of the questions which he wished to put was whether any notice had been given under this arrangement? He found that in the senate of the United States a bill had been introduced, so lately as November last, for the exclusive occupation of this territory, which was termed the Oregon territory. The title of the Bill was,

> "A Bill to authorise the adoption of measures for the occupation and settlement of the territory of Oregon, and for extending certain portions of the laws of the United States over the same, and for other purposes."

The preamble of the Bill commenced by stating,

> "Whereas the title of the United States to the territory of Oregon is certain, and will not be abandoned therefore."

In the course of the debate on this Bill a Mr. M'Roberts made a speech, containing a most violent attack on England. In that speech he said,

> "That it was quite a matter of surprise, that Great Britain, in the face of evidence so strongly furnished by her own accredited officer, should ever think of preferring any claim to the territory drained by that river. He asserted that Great Britain never had a just claim that she did not enforce; and never put forward an unjust one that she did not endeavour to strengthen by postponement and diplomatic procrastination. If she had the same ground to stand upon in this instance that we have, she would not hesitate a moment to assert it, and to enforce it, if necessary. Why, then, should we weaken our own right, and strengthen her pretensions, by voluntarily deferring the assertion of our claim? Our right was indisputable from the forty-second to the forty-ninth degree of north latitude, and from the Pacific Ocean to our territory east of the Rocky Mountains. This comprised a fertile region, 700 miles wide at one extremity, and 500 at the other—running through seven degrees of latitude, and embracing nearly 200,000,000 acres of land—enough to form four or five new states. It was of vital interest to us to have the control of those Indian tribes which infest our western borders. The provisions of this bill would enable us to keep them in complete check. Hitherto it might have been thought that we had territory enough, and that for some generations we would not have use for more. But the late census, as well as that preceding, shows that we may calculate on our population being doubled every twenty-three or twenty-four years. By this ratio we may expect to have a population of 52,000,000 in 1880, and at the close of the present century, at least 92,000,000. We have to act for those who are to succeed us, and our neglect of their interests, at the critical moment that it is our duty to place

them on a permanent foundation, will be wholly inexcusable. That duty is now to assert our right to encourage the occupation of our own territory by our own citizens—to give them temporary protection in their emigration; and in less than ten years our hardy citizens from the Mississippi valley, transplanted to this new section of our union, will be able to defend and protect themselves. They will claim no other protection. If we delay longer to assert our right, Great Britain will assume a new argument in support of her pretensions, grounded on our neglect of our own claims. He wished not only to retain the preamble of the bill but to avoid any question of its propriety. He wanted to see this bill passed in both Houses by a unanimous vote. Let this be done, and England would at once abandon her pretensions. She would see that we are not only in earnest, and determined to maintain our rights, but that in support of them, we forget all party differences, and act with an irresistible unanimity. If this were done, we should never again hear a word of the right of Great Britain to the territory of Oregon."

He (Mr. Blewitt) would ask what ideas would be formed in the United States respecting the House of Commons, if a bill was introduced on such a subject, claiming an absolute right of territory to a country which was subject to the provisions of the two treaties of 1818 and 1827. He thought that the mode in which the matter had been dealt with in the senate of the United States was an insult to this country, and although he was a most strenuous advocate of peace, he never would consent to the sacrifice of the honour of the country; and if the legislature of the United States went beyond a certain point, he conceived that it would be the duty of this country to show the American people that we knew how to vindicate our honour.

Sir *R. Peel* hoped, that the hon. Member would not infer the existence of an intention on the part of the American people to adopt a certain course in consequence of a bill having been introduced, and laid on the table of the senate of the United States, and having been followed by a violent speech of an individual Member. He hoped that the hon. Member would not endeavour to identify the whole of that nation with such a proceeding. He hoped also that the hon. Gentleman's speech would not be quoted across the Atlantic as a proof of the feeling of this country; but he would venture to say, that he was satisfied that even that speech would not cause the American funds to fall. The violent speech the hon. Member had quoted, he (Sir Robert Peel) would, with all respect to the American senate, say, would not interfere with the diplomatic relations between the two countries. The Government had had no official information on the subject of any such bill having been introduced into the senate, nor could they deal with the matter. As for the Oregon territory, there had been communications of a friendly nature on the subject between the two governments, and they were now going on; under these circumstances, he hoped the hon. Gentleman would not think it disrespectful of him if he further declined entering upon the subject.

Motion agreed to.

House in committee of supply.

Navy Estimates.] Mr. *Sidney Herbert* said that at that late hour he would compress into the shortest space the statement in elucidation of the estimates which had been laid on the Table. Last year he had to claim the indulgence of the committee in undertaking the task of moving the estimates for the first time; on the present occasion he had to ask the same indulgence on a different ground, namely, in consequence of the absence, from indisposition, of a gallant Friend of his, a member of the Board of Admiralty, whose high professional and personal character invested him with the highest authority on naval matters; and procured for his opinions a respect as creditable to those who paid it, as to him to whom they thus deferred. In the course of the preliminary discussion to going into committee of supply, the improved state of the relations of this country with respect to certain foreign nations had been so fully explained that it was not necessary for him to say a word more on the subject. That discussion showed in what manner the Government had been able to make a reduction of 4,000 men in the naval service of the country. This partly had arisen from the termination of the war with China, and partly in consequence of the state of our foreign relations in Europe being such as to enable us to make a reduction in the number of the fleet in the Mediterranean; but the force would be found quite sufficient for the exigencies of the service. The reduction of the number of 4,000 seamen in round numbers, would of course make a material reduction in the amount of the estimate required for their pay and provisions this year as compared with that of last year. In the next vote, for the purchase of provisions and victualling stores, a saving would be found to be effected in addition to that resulting from the smaller number to be victualled, by the great reduction that had taken place in the price of provisions. In the next vote, namely, that for the Admiralty-office, there was a small increase, arising in two ways. In the first place, after the adoption of the new postage the Admiralty estimated the charge for postage at 6,000*l.*, and a vote to that amount for the purpose had been taken for the last few years; but the charge for postage had uniformly been found to exceed that sum. Under these circumstances, it was determined to ask for 2,000*l.* in addition, which would be about the sum required; and, therefore, the sum proposed to be taken for postage this year was 8,000*l.* The other increase, under the head of Admiralty-office, arose from the circumstance that the clerks for lengthened service were entitled to a small additional pay, and it was therefore necessary to make a small addition to the vote. There was also a charge for the salary of a deputy accountant-general of the navy. By the act for the consolidation of the officers connected with the navy at Somerset-house, it was intended that an efficient check should be established over the navy expenditure, and that the bills, after having been passed by the accountant general, should be countersigned by a Lord of the Admiralty. This plan, however, was not found to afford an efficient check, for large piles of papers were constantly accumulating, which it was impossible to examine, and which were necessarily signed without being verified, so that a signature of the Lord of the Admiralty was not a sufficient check. For the purpose of remedying this evil, is was determined to appoint an efficient and responsible officer under the accountant-general, entitled the deputy accountant-general of the navy, who should devote himself entirely to the naval accounts. The next head of expenditure under which there was an increase was the scientific branch. There was some diminution of charge for printing scientific works, but this was more than counterbalanced by a charge for the establishment of a compass department at Woolwich. It would be in the recollection of some hon. Gentlemen opposite that complaints were made to former Boards of Admiralty respecting defects being found in compasses that were used for the navy. In consequence of this, in 1826, a commission was appointed, at the head of which was Professor Barlow, to institute an inquiry into the subject. This commission was formed of several scientific men and experienced officers, and, by the report which that body prepared it became manifest that great errors were often to be imputed to the compasses, which had often been productive of the most serious consequences; the commission, therefore, recommended the appointment of an efficient officer to superintend the employment of a test for the regulation of compasses. The officer appointed to this department was Captain Johnson, who had been strongly recommended by Captain Beaufort. Under this head he might observe, that at the present time a great number of surveys were being carried on in various parts of the world. For instance, surveys were being made on several places on the coast of England, particularly at the mouth of the Thames; on the coast of Ireland; at the Orkney Islands; in several parts of the Mediterranean; at the Azores, at the Bay of Fundy, in the West Indies; at the Falkland Islands; a surveying expedition, on an enlarged scale, had also been recently despatched to the coast of China. Again, a survey was being made on the coast of Australia; and, in addition to these, there was the Antarctic expedition. With respect to the last, accounts of the most satisfactory nature had recently been received from Captain Ross, who had penetrated ten degrees further than any one before him, and who was now refitting at the Falkland Islands, after having been three years engaged in this service. That gallant officer had sent home a most valuable collection of magnetic observations, which would stamp the character of the expedition as of the utmost importance in a scientific point of view. [Captain *Pechell:* What was the date of the last accounts from Captain Ross?] September last. The estimate for the home establishments was less than that of the previous year, notwithstanding the establishment of a steam department at Woolwich dockyard. Upon reference, however, to the estimate No. 8, it would be found that in the wages to the artificers, labourers, and others, employed in her Majesty's establishments at home, there was an increase of upwards of 20,000*l.* This arose in some measure from the additional labour in the engine-factory at Woolwich, amounting to about 10,000*l.*, and an additional expense for the labour of the yards, which arose, not from any increased establishments, for that remained the same, but from the sum taken last year being found insufficient for their payment, not having been varied. In the estimate for the naval stores for the building, repair, and outfit of the fleet, &c., there was a considerable diminution, as compared with the previous year, of about 200,000*l.*, which was owing, in a great measure, to the reduction in the price of materials. There was an increase, however, in the charge for the half-pay amounting to nearly 30,000*l.*, which was accounted for by promotions, the removal of officers from full to half-pay, consequent on the great reductions in the fleet, and the additional allowance to pursers; but when the successful termination of the wars of the past year were considered, and the gallantry with which that war was carried on, and the commercial results likely to accrue from its success, that would scarcely be thought an extravagant expenditure. In the charge for freight, &c., on account of the Home Department, there was an increase of about 4,000*l.*, and also of 2,000*l.* in the packet service of the post-office department. The latter increase arose in consequence of certain alterations made in the contract for steam-packets, the effect of which was the acceleration of the mails. There was also a considerable increase of expense in the works of the dock-yards; in consequence of the construction of machinery for testing machines, engines, saw mills, and other important and necessary works, all of which in their result tend to great economy in the public expenditure. At Woolwich, it is right to state that the basin and dock had been continued beyond the vote of Parliament, it being found necessary for the public service. But the principal work at Portsmouth was the new steam-basin. The House was well aware that steam-power and navigation had made great advances of late years; but the steam factory at Woolwich was the only Government factory of that kind. He believed that, when first the steam factory at Woolwich was commenced the number of Government steam-vessels was fifty-five, comprising 6,443 horse-power; now there were ninety-six vessels, of upwards of 14,301 horse-power. In France, with an inferior steam navy, they had five steam establishments; in England one. By the establishment of this one, a great saving had already been effected; the repairs of steam machinery cost less than 3*l.* instead of 5*l.* per horse-power. If an engagement with a hostile force were to be fought in the channel, a disabled steamer could scarcely ever succeed in reaching the Thames. On the whole, the greatest economy had been exercised, but, at the same time that reduction had been made, the efficiency of the service had been most carefully regarded, and he hoped that the House would find that next year the navy would be in a more efficient state than it had been in for some time past. Great attention had been paid to every department connected with the organization of the service; the demonstration-ships had been put in proper serviceable condition, and if an exigency should arise, which God forbid, he felt assured that our means and our preparation were such that there would be no difficulty in instantly coping with any enemy. He wished only further to observe, that the total savings on the year's estimates would amount to 435,000*l.*, and having stated thus much, he left the estimates with confidence to the House assured that there had been no negligence on the part of the Admiralty, but that every effort had been made to put the navy in a secure and effective condition. The hon. Gentleman concluded by moving, that 39,000 men including 10,500 Royal Marines, and 2,000 boys be employed for the service of the year to March 1844.

Mr. *M. O'Ferrall* observed, that he was quite ready to admit that some economy was shown in the estimates now laid before the House, but that he was not at all satisfied that further reductions might not have been made, or that those now proposed were judiciously apportioned. He thought it was decidedly irregular to take the vote for the payment of the ships' companies now expected home from China, as it appeared that it was purposed to take it. When he was in office, he was told that if a vote was required for a particular service, it ought to be taken in a distinct form; but it now appeared, that the Government had one set of rules for proceedings when out of office, and another set for use when they attained power. For his part he saw no reason whatever for departing from the established regulations. With regard to the appointment of a new officer at Somerset-house, he really could not discover on what grounds such an office was proposed to be created. The only object it could serve would be the removal of some responsibility from the Admiralty, and if they were to go on in this way, creating deputy accountant-generals, why should they not have deputies in every other branch of the civil departments of the service? Such a proposition seemed to him to be virtually a re-establishment of the old Navy Board, with all its abuses, and of any such arrangement he certainly could not express any approbation. With respect to the scientific departments, the increase in the estimates appeared to be somewhat strange, when it was recollected that the votes for these objects had been already doubled within the last ten years. He should not however, object to this increase, nor to that addition to the votes which was intended to apply to the formation of steam machinery; indeed, he was glad to see that the Government was in these respects following up the principles of its predecessors, and that where they had in their last estimates departed from these principles, they now found it advisable to retrace their steps. Respecting the stores, he thought a due regard to liberality was always the best economy in the end, and instead of making a reduction in this part of the estimates, he should have been glad to have found that the miscellaneous items were reduced. Under the last head, indeed, he could not but particularly remark the vote proposed for extra payment to clerks. Surely, when the business was decreasing it was odd, to say the least of it, that more clerks should be required? But perhaps the Government anticipated a little agreeable additional patronage from this source; and, indeed, this consideration appeared to be a very ruling motive with them in framing the estimates generally, for he could not but observe that whenever he found a small excess it was always under some head where the Administration might employ some small additional patronage. These observations, however, were not of a sufficiently important nature to justify him in longer detaining the House, and he should not, indeed, have made any remarks on the subject at all had not the hon. Gentleman taken credit to himself for such a strict regard to economy. In all the votes in which the efficacy of the service was concerned, the Government might count upon his support; but on other points he must certainly, for the present, reserve his opinion.

Mr. *W. Williams*, previous to the question being put, desired some information as to the cause of the increase of the pensioners in the civil department. He also wished to know what were the duties of a Major-general of Marines? There was a gallant Admiral, at present one of the Lords of the Admiralty, who filled one of these seemingly anomalous situations at the same time that he was receiving his admiral's half-pay and his salary as a naval lord.

Mr. *S. Herbert* replied that the appointment to be General of Marines was an honorary distinction bestowed for distinguished naval services. It had been approved by the commission for inquiring into the army and navy.

Mr. *Hume* called attention to the number of yachts, and the expense they cost.

Sir *Robert Peel* referred to her Majesty's late trip to Scotland, when she was obliged to hire a steam vessel. He was sure, that in the present state of steam navigation when steam-vessels were so much superior to sailing vessels, that the House could but desire that her Majesty should have a steam yacht for her own use, whenever her Majesty might require one. They must all be glad that her Majesty should be capable of using one, and all must be glad that her Majesty should visit every part of her dominions. It was only proper that if the Queen of England chose to do that, she should have a steam yacht of her own, and not be obliged to hire one of a steam company. The expense for fitting such a vessel for her Majesty's use had not exceeded by 2,000*l.* the sum required for building similar vessels in the customary and ordinary manner. Her Majesty had expressed a wish that the vessel should be so constructed as to be adapted to the exigencies of the public service, and not be appropriated exclusively to her use. The expense, therefore, would only be a small sum greater than was required to build such a vessel in the ordinary manner of 400 horse power, or 30,000*l.*

Mr. *Williams* had not one word to say against building the vessel, but he was glad to hear the explanation, because an impression had gone abroad that the ship was to cost a sum far beyond the ordinary expense of a steam man-of-war.

Captain *Fitzroy* thought it was extremely proper in discussing these estimates that Gentlemen should cast their eyes abroad and be careful not to reduce our establishments so as to render them inefficient to meet any increase in the establishment of foreign powers. At present it was incumbent on us to extend our steam navigation, and make our steam vessels as efficient and complete as possible. It was not necessary for him to allude to the places where great exertions were making abroad, it was only necessary to mention the subject, and point out the caution it indicated. The hon. Member for Kildare had objected to the appointment of a deputy-accountant, but he thought the services of some such officer was necessary. The more the responsibility was increased, the greater would be the efficiency of the public service. At the present time the Admiralty had quite as much work to do as they could get through, and in time of war it would not be possible for the Lords of the Admiralty to execute all that was required of them. The hon. Member had objected to the Navy Board; but that board, or some equivalent officers, were able to bestow minute attention on details which could not be bestowed by the Lords of the Admiralty, and which was at the same time very useful. Far from objecting to our establishments, he wished to see preparations for building steam vessels at all our ports, and he thought that it was indispensable that the Government should have an establishment of its own for making steam machinery, instead of being dependent on private manufacturers. At present we had only one establishment to repair steam machinery. He hoped, too, that the Hydrographic Department would receive the attention of the Government. It should be remembered that this department had lately trained a number of officers, who had been of great use in China. That department, in fact, was now of greater service than ever it had been before. It should be remembered that steam vessels, from the rapidity of their motion, could not rely so much on the lead, or keep so good a look out as other vessels; and, therefore, it became more than ever necessary to supply our vessels with good charts. At present the Hydrographic Department was overloaded with materials; the chambers of the hydrograher were crowded, and there was no room to work. He hoped that this subject would be taken into consideration, and that both our steam and hydrographic establishments, would be extended.

Sir C. *Napier* thought, the Government were the best judges of the propriety of retaining or reducing our establishments, knowing, as they must, the position of our relations with foreign powers far better than could Members generally; but he could not help expressing a doubt whether the reductions in the number of seamen might not be found too great; as in times of public exigency the manning of our ships of war, not the fitting them out was the main difficulty experienced; and it had often occurred to him, that one very advisable way of meeting the difficulty would be that of displacing the marines in times of peace by seamen—the result of which regulation would be, that by dividing the crew of each of our guardships, and filling up the complement with boys, landsmen, &c., two ships of the line could be, at a few days' notice, fully manned and at no additional expense, instead of having to wait, as in some recent instances had been the case, for months. The great burthen of the naval charges consisted in the expenses of keeping up the necessary crews. Then, again, as to the way in which the business was managed at the Admiralty, he could not but think that a change might be beneficially effected. He had found that the business was really, though quite conventionally, and therefore irresponsibly, divided among the different members of the board, so that it was extremely difficult—civil as they were now-a-days, and very different in this respect from what they used to be—it was very difficult for officers to find out to which member of the board they were, as to any particular department of the service, to apply. He had no hope now of seeing a naval man at the head of the Admiralty, but he thought the administration would be highly improved by rendering one individual responsible for each department. There should be one head of the dockyards, one of the victualling department, one of the finances, and so of others. And these arrangements should be independent of changes of Government. As things at present were managed, the Admiralty work could not be well got through. It was quite enough to kill the first naval lord. The illness of the hon. Admiral who filled that station now had been brought on entirely through the great exertions entailed upon him by the duties he had to fulfil; which had been found too much for all those who had within living memories occupied the same onerous post, and which had proved positively the destruction of some of the ablest and most valued among them, as Sir Thomas Hardy. One evil of the present system now was, that when the first naval lord was incapacitated by illness, the first lord was at a loss where to find an efficient substitute in whom he could confide. He would observe, too, how differently officers were rewarded in consequence of the views taken by different Boards of Admiralty. As an instance of it, he would refer to the case of Captain Mansell, an officer who had distinguished himself at Sidon and afterwards at Acre. For his services at Sidon he was made Post Captain, but had not been reported. When at Acre, he took a large ship of the enemy, with a small brig. All the other officers, of the same rank, engaged at Acre, were made Companions of the Bath; but Captain Mansell, because he had not been reported, lost that honour. As a contrast to that, there was the case of a Captain Gray, a volunteer, in China, who went ashore with Sir W. Parker, and, although he had no command, received for his services the honour of the Order of the Bath. As to promotion, it seemed that the present Board of Admiralty, when they wished to make any promotions, not only promoted one for every three vacancies, but made special vacancies, and promoted three for every one. With respect to steamers of war, a good deal of attention had been paid to the subject, but we had not made really much advance. We had not really one efficient war steamer. Neither the boilers nor machinery were secure, and they did not carry enough of fuel. He hoped the Government would see to the correction of these defects.

Mr. *Labouchere* wished for some explanation of the appointment of deputy accountant-general. He asked for it upon higher considerations than those of mere economy.

Mr. *Sidney Herbert* stated, that by the alteration that had been made, they had the signature of a person who really examined the accounts, whereas formerly there was the signature of an individual who did not inspect them.

Mr. *C. Wood* expressed his satisfaction at the reductions made in the estimates.

Mr. *Hume* thought, considering the state of the country, the reductions might have been still further carried out.

Vote agreed to: as was also the vote of 1,259,697*l.* for wages to seamen and marines for the year 1843, 1844.

The House resumed, the Chairman reported progress. Committee to sit again.

House adjourned at a quarter before one.

HOUSE OF LORDS,

Monday, February 27, 1843.

MINUTES.] Earl of Harewood took his Seat on the Death of his Father.

BILLS. *Public.*—$1^{a\cdot}$ Coal Venders Penalties.

Reported.—Forged Exchequer Bills; Transported Convicts.

$3^{a\cdot}$ and passed:—House of Lords Oaths.

Private.—$1^{a\cdot}$ Dame Virginie Marie Hesketh Fleetwood's, Wife of Sir Peter Hesketh Fleetwood, Naturalization; Caswall's Church Preferment Holding.

PETITIONS PRESENTED. By the Marquess of Exeter, the Earl of Powis, the Duke of Buccleugh, and the Bishops of Bangor, and St. David's, from Oxford, Melford, Llandulas, Welshpool, Dyserth, Stynchcombe, Clink, Gyffin, Pennal, Dursley, Knockin, Weldon, Castlemartin, Daventry, Haddon, Brackley, Marchia, Rothwell, Llanfihangely, Pennant, Llanaber, Llandanwg, Llanfair, Llanfrother, Llanfchangel-y-raethaw, Llandecwyn, Criccieth, Yays Cynhaiarn, Treflys, Llanendwyn, Llanddwywe, Penforma, Dolbemaen, Llanystindwy, Glastonbury, Llandriasv, Llansantffraid-ym-Mechan, Ashbourne Ceifeiliog, Mowddwy, Avergle, Llanyblodwel, Rhuddlan, Llanncfyd, Llansantffraid Glyn, Conway, Llanrhaiadr-yn-Morhnauy, Denbigh, Aberhafesp, Llanllwchasarn, Hirnant, Melverld, Llansilin, Llangynog, Pennant, Llanfhchag, Llanfihanoel, Llanwyddelan, Llanllugan, and Newtown, against the Union of the Sees of St. Asaph and Bangor.—By the Earl Fitzwilliam, from Glasgow, for the total and immediate Repeal of the Corn and Provision Laws.—From Welihpool, Llanfihingel, Llanllwrhaiarn' Aberhafesp, Kirnaut, and Oswestry, for Church Extension.—From Halifax and Leeds, against altering the Mines and Collieres Act.—From Lord Provost of Glasgow, for Repeal of the Corn-laws.

PROCLAMATIONS OF LORD ELLENBOROUGH.] Lord *Campbell* said, the noble Duke opposite stated on a former occasion that he would have no objection to lay on the Table copies of two proclamations of Lord Ellenborough; one relating to the evacuation of Affghanistan, the other to the restoration of the gates of the temple of Somnauth. He (Lord Campbell) would now move for copies of those documents, in order to assist their Lordships in forming a judgment respecting those transactions. Besides the proclamation concerning the gates, there was a military order of the Governor-general, regulating the numbers and pay of the escort which was to attend them. He hoped the noble Duke would also consent to the production of that paper.

The Duke of *Wellington* had no objection to produce the documents.

Ordered to be laid on the Table.

Corn Law of 1842.] The Duke of *Wellington* hoped that the noble Lord whom he saw opposite, and who had given notice for that evening of a motion relative to the Corn-law of last Session (Lord Monteagle), would consent to postpone his motion for some days, in consequence of the illness of his noble Friend the President of the Board of Trade (the Earl of Ripon). He did not know how it would be possible to discuss the question in his absence.

Lord *Monteagle* said, he regretted undoubtedly, from regard to the convenience of other noble Lords, especially some who might have come up from the country, that there should be a necessity for postponing his motion; but, under the circumstances stated by the noble Duke, the illness of the President of the Board of Trade, and the inconvenience that would arise from discussing the question in his absence, he should be sorry to bring on the motion. He should allow the matter to remain open a day or two, till the noble Lord had recovered, and then he should be enabled positively to fix a day when it might come on.

The Duke of *Wellington* might observe, that he had no great hope of his noble Friend being able to attend the House under a few days—a week at least.

Subject postponed.

The House of Lords Oaths Bill was read a third time, and passed.

Condition of Agricultural Labourers.] Earl *Fitzwilliam* would take that opportunity of asking a question respecting the proceedings of a commission, which had been appointed some months ago, to inquire into the condition of the agricultural population in some parts of England, and particularly Norfolk and Suffolk. He believed that commission had made a report, and he wished to know if there was any intention to lay it before the House?

Lord *Wharncliffe* said, he would make inquiry into the matter.

House adjourned.

HOUSE OF COMMONS,

Monday, February 27, 1843.

Minutes.] New writ.—For the Northern Division of the County of Warwick, in the room of Sir John Eardley Wilmot, Governor of Van Diemen's Land.

New Member Sworn.—Hon. James Pierce Maxwell for Cavan.

Bills. *Public.*—1°. House of Lords, Oaths; Applotment of Rates (Dublin); Pawnbrokers Trade (Ireland).

2°. Registration of Voters; Apprehension of Offenders; Punishment of Death; Justices of Peace (Ireland).

3°. Coal Venders Penalties.

Private.—2°. Newcastle and Darlington Junction Railway; Forth Navigation; Hull and Selby Railway; Oxford Railway; Cromford and High Peak Railway; Norland Estate Improvement; Bethnall Green Improvement.

Petitions Presented. From Brighton against using Dogs as Beasts of Burthen.—From the Unions of Kenmare and Gort, for Amending the Irish Poor-law.—From Marston, St. Lawrence, and Aberhafesp, for Church Extension.—From James Kilnes and Family, for the Total and Immediate Repeal of the Corn and Provision Laws.—From Richard Malone Raymond, for the Repeal of the Theatrical Entertainments Act.—From Leeds and Halifax, against the Repeal of the Mines and Collieries Act.—From Ilfracombe, for the Elective Franchise to all those assessed to the Income-tax.—From William Grant, against the Coal Venders Penalties Act.—By Lord Clive and Sir W. W. Wynn, from Stamford, Llansilin, Aberhafesp, Llanarmon in Yale, Llansaintffraid, Glynnfeiriog, Llanferres, Llanychaw, Deanery sf Brackley, Llanbedr, Llauz-ynhafal, Llanfairchan, Gyffin, Aber, Deanery of Daventry, Eglwys Rhys, Deanery of Rothwell, Deanery of Preston, Deanery of Haddon (two Petitions), Llangybi, and Llanarmon, Abererch, Llanwyddlean and Llanllugan, Llangwstiniw, and Deanery of Archelewedd, against the Union of the Sees of St. Asaph and Bangor.

Poor Laws.] Mr. *Redhead Yorke* inquired whether the amended Poor-law Bill, which it was the intention of the Government to propose this year, was to be precisely the same as that of last year, with the exception, of course, of those alterations which had been recognized at the close of the Session?

Sir *J. Graham* replied, that the principle of the bill was identically the same. In some details there was a variation, especially with respect to the clauses relating to apprenticeship. Some clauses also would be added.

Lord *J. Russell* said, it would be very desirable to know what would be done in relation to the Poor-law for Ireland, and he wished to know if the Government intended to proceed with a bill, and, if so, whether the principle was to be maintained?

Lord *Eliot* said, that a bill was in a forward state of preparation.

PRIVILEGE—PRINTED PAPERS.] Mr. *Speaker* acquainted the House, that the Serjeant-at-Arms attending this House had a communication to make to the House:—

"Whereupon the Serjeant was called to the Bar, and informed the House, that he and William Bellamy, a Messenger of this House, had received writs of summons at the suit of Thomas Burton Howard, by his attorney Thomas Howard, in actions of trespass: as the nature of the trespass was not stated, he thought it right to enter an appearance. On Saturday last he was served with a declaration, which shews that the suit is in consequence of his having taken Thomas Burton Howard into custody; and that the suit against William Bellamy is for having taken Thomas Burton Howard to the prison of Newgate. As both these acts were done by order of this House, and under Mr. Speaker's warrant, he hoped they would have the protection of the House, and the directions of the House as to the course which they are to pursue."

And then he delivered in the said writs and declarations, which were read at the Table.

The *Solicitor General* said, he was not about to make any motion on the subject of the communication that had been just made. The more satisfactory course would be to have the papers just presented printed with the votes, and he gave notice that he should to-morrow submit a motion upon the subject to the consideration of the House.

Lord *John Russell* believed that some action had occurred during the recess, in regard to the Serjeant-at-Arms and his deputy, in which a sum of money had been paid to the plaintiff, by order of the Treasury. If that were so, although the proceeding might be quite right, he thought those papers also should be laid before the House.

Sir *Robert Peel* replied, that whatever information the Government were in possession of should be laid before the House.

Papers to be printed.

TRADE WITH CEYLON.] Mr. *Ewart* asked the right hon. Baronet whether the attention of the Government had been attracted to the manner in which the export duties at Ceylon were collected, especially with respect to the duty on the article cinnamon?

Sir *R. Peel* said, the subject had been under the consideration of the Government, and he thought that the duty generally on all articles of export, with the exception of a few, was 2½ per cent. *ad valorem.* Among the excepted articles were cinnamon and cinnamon oil. Representations had been made by persons in this country as to the advantages of reducing the export duty on cinnamon, and authority had been given by the Government here to the authorities in Ceylon to reduce the duty from 2*s.* to 1*s.* A corresponding reduction was also about to be made on the article of cinnamon oil from 1*s.* to 4½*d.*

PARAGUAY.] Mr. *Ewart* begged to inquire whether the Government had received any intelligence concerning Mr. Gordon's treatment in Paraguay.

Sir *Robert Peel*: The Government had not yet received any official information from Mr. Gordon, whom they had sent out to Paraguay to prosecute certain inquiries in that country. A rumour, however, had reached England that the mission with which Mr. Gordon was entrusted had terminated unfavourably; and since this subject was mentioned in the House a few evenings ago, he had received a copy of a letter addressed to a most respectable house in Liverpool, by a gentleman named Bartley, the companion of Mr. Gordon, in which it was stated, that in consequence of some interference on the part of Mr. Gordon in the medical practice of the country, by an attempt to introduce vaccination, the government of Paraguay had taken the alarm, and ordered Mr. Gordon to quit the country. As this information came from a most respectable source, he could not but fear, that the rumour was correct. But, as he had already stated, the Government had as yet received no official information upon the subject, and, until such information were received, it would, of course, be quite impossible for him to state what course the Government would be likely to take.

KNUTSFORD GAOL.] On the Motion for reading the Order of the Day, for going into Committee of Supply,

Mr. *Tatton Egerton* begged to detain the House for a few moments while he referred to a statement made the other evening by the hon. Member for Finsbury (Mr. T. Duncombe), with respect to the treatment of certain prisoners in the Knutsford House of Correction. When it was considered, that the statement so made by the hon. Member affected in no slight degree the character of the magistrates who visited that gaol, he was sure he would be pardoned for bringing the report again under the attention of the House, for the purpose of correcting the inaccuracies into which the hon. Member for Finsbury had fallen. The hon. Member stated the other evening, that a certain prisoner, named Samuel Lees, having been placed on the treadmill on the Wednesday afternoon, was taken out again the next morning, contrary to all custom, and placed upon the treadmill,—

> "For the amusement of several ladies and gentlemen, who were anxious to see the sport."

And, further, that he was

> "Sent to weave against his will, as he would be in the same building as thieves and vagabonds of the vilest description."

Now, the statement of the magistrates was, that Lees had only been twice upon the treadmill—that he had never been taken out on any particular occasion—that he had not been made to tread the wheel for more than half an hour at any particular time—and that his labour was confined to weaving. In the case of another prisoner, Robert Wilde, the hon. Member (Mr. T. Duncombe) read an account, in which it was stated that when Wilde went into the prison, the governor told him—

> "Now, you have been sent here to be punished, and I will take care you are punished; for, let your treatment be ever so lenient whilst you are here, I would not give much for your constitution when you go out."

Now, the statement of the prisoner himself, as made to the visiting magistrates, was this:

> "I remember the day when the governor of the gaol sent for the rules, and read them to us, telling us that they were very severe, and that if we did not obey them, we should be severely punished, having our bread stopped, and thereby endangering our constitutions."

This sort of discipline might, possibly, have the appearance of great severity; but it was to be remembered, that it was a discipline enforced by the rules of the gaol, which were adopted under the authority of the Secretary of State for the Home Department, and for which the visiting magistrates were not responsible. The prisoner Wilde stated further:—

> "I never made any application to the governor for anything. The food is good, but the prisoners complain of the shortness of it."

It appeared, however, that two of the prisoners were always appointed to see the food weighed and examined, in order, that the prisoners might not be cheated by shortness of weight. It was, of course, necessary that discipline should be enforced in the gaol; but the magistrates were most anxious that all the officers of the prison should exercise forbearance, and act with humanity towards the prisoners. He had felt it his duty to make this short statement, in reply to what had fallen from the hon. Member for Finsbury on Thursday last.

Mr. *T. Duncombe* did not understand the statement, that had been made by the hon. Member for Cheshire. The hon. Gentleman stated, that the account he now gave of what took place in the gaol, came from the prisoner Wilde. The statement that he (Mr. Duncombe) gave the other evening also came from the prisoner Wilde, and he believed, that the statement so made by him was correct. With regard to any contradictions coming from prisoners of the statements made as to the improper management of the gaol, he thought such contradictions should be received with great caution inasmuch as those prisoners were, to a certain extent, under the control of the magistrate and the gaoler. James Allinson, the released prisoner, whose testimony he (Mr. Duncombe) had quoted the other evening, and who had been confined on the same side of the prison with Lees and Wilde was prepared to come forward and to confirm everything that he had stated, as to what had taken place in the House of Correction at Knutsford. It was singular that, although the statement which he made the other evening had appeared in the newspapers some time ago, the magistrates had never come forward with any contradiction of it until the circumstances were mentioned in Parliament. When he saw the newspaper account of the manner in which the prisoners were treated, he wrote to a gentleman in the neighbourhood to ascertain whether such an account could possibly be correct. That gentleman immediately sent over to Knutsford gaol, and had an interview with Wilde, whose condition and appearance he described as being most deplorable. He believed, that all the charges which Allinson had made could be fully substantiated.

Mr. *T. Egerton* could only say that the magistrates courted the fullest investigation, and that he believed the Knutsford House of Correction to be one of the best conducted gaols in the country.

Sir *J. Graham :* The hon. Member for Finsbury stated, that Allinson was a perfectly credible witness. The statement of Allinson was certainly very much at variance with the statement of his hon. Friend the Member for Cheshire. If it were true that Allinson was a credible witness, then he must say, that he thought the conversations which were alleged to have taken place between the gaoler and the prisoners, when they were first brought to the gaol, were very much to be regretted. It appeared to him, too, that there were other parts of Allinson's statement well worthy of investigation, and which called for a prompt and immediate inquiry. If, therefore, the hon. Gentleman would favour him with a copy of Allinson's statement, he would, undertake, on the part of the Government, that an inspector should proceed to Knutsford gaol to inquire into all the circumstances of the case. The report of that inspector would be made to the Home-office, and he would engage to lay it before the House.

Subject at an end.

COLLIERIES — TREATMENT OF APPRENTICES.] The question for reading the Order of the Day for going into Committee of Supply having been again put,

Lord *Ashley* begged to take that opportunity of calling the attention of the right hon. Secretary of State for the Home Department to a subject of considerable importance. He had just received a letter from a very respectable gentleman, signed Thomas Barber, auditor of the Halifax Union, which was in these words :—

Halifax, Feb. 25.

"My Lord—Permit me most respectfully to direct your Lordships special attention to the last page of the *Halifax Guardian* of this day, where you will find a statement of facts relative to the cruel treatment a boy has undergone, or endured, at the hands of his inhuman master, a collier, residing at Blackley, four miles from this place. It is not in the power of language to describe, or of imagination to conceive, the spectacle presented to my view when I examined his back on Wednesday last at the union workhouse. With a firm determination of transmitting an account to you, I wrote down his statement, but afterwards deemed it expedient to request the editor and publisher of the *Guardian* to report it in the paper; he yesterday accompanied me to the workhouse, and has given the substance of the boy's narrative. I have just returned from the magistrates office, where the master has appeared under a summons from the overseers for the purpose of freeing the lad from the parish indenture. The lad gave a clear and succinct statement of the treatment and sufferings he had endured for some weeks back, with an artlessness that carried an irresistible conviction of its truthfulness to the mind of every individual present. The master was not able to disprove or controvert one iota of the statement, though defended by a professional gentleman, and the justices discharged the lad from his apprenticeship, according to the 20th of Geo. 2nd, c. 19.

"To Lord Ashley, London."

Along with that letter he had received a copy of the *Halifax Guardian*, and he thought he was justified in calling the attention of the House to the case, because he had last year proposed by his bill the total and immediate cancelling of apprenticeships for undergoing operations, and if that clause had not been reversed elsewhere, such a case as the present never could have happened. The *Halifax Guardian* thus reported the case :—

"It is this week our painful duty to record one of the most revolting cases of barbarous treatment that it ever fell to our lot to notice. The case affords another illustration of the cruelties practised upon children doomed to slave labour in a coal mine, and we beg distinctly to observe, that we have understated rather than overstated the treatment of the wretch whose name we shall shortly introduce.

"James Whiteley, a poor orphan boy, about seventeen years of age, was apprenticed to Joseph Whiteley, collier, residing at Blackley, near Elland, about seven years ago, as a hurrier. He was then only about nine years of age. From the first day of his apprenticeship to his cruel master he has been the subject of the most severe and harsh treatment. The labour to which he was put in his mere infancy was the veriest drudgery, and when his limbs failed to do their duty a huge strap, or not unfrequently a thick piece of wood, was most inhumanly applied to his person. Six o'clock in the morning was the usual hour at which this poor boy was sent into the pit, and at the same hour in the evening—but not unfrequently eight o'clock or nine o'clock—he was again submerged, his only subsistence being a muffin, or some other such eatable, and the water in the pit. The cruelties practised upon him have been greatly increased since his inhuman master was married (about two years since), the woman it appears having taken a dislike to the poor orphan lad. As a sample of the barbarities which this collier boy has had to undergo, let the punishment he has experienced during the last fortnight suffice.

"It appears that the severe flogging which Whiteley received caused him once or twice to run away from his master. A short time ago he was so beat with a hurrier's strap, and a heavy piece of wood (a piece of an old cradle) that he again resolved upon running away. He did so, but on Tuesday week he was brought before the Halifax magistrates by his master, charged with disobedience. Through the threats and menaces of the cruel tyrant who had treated him so barbarously, he was prevented stating the whole facts of the case to the bench. The lad had intended showing the various wounds inflicted upon his person: enough, however, was said to induce the magistrates to reprimand the master, and the boy was ordered to go back again, and the master warned not to ill treat him in future. This warning, however, was neglected. The same day he administered a most brutal castigation to his victim, which he repeated every day while the lad remained with him. Our readers may imagine that the harrowing details which are to follow are tinged with an air of fiction. They are facts. The poor lad when down in the pit was beat with a stick, and between each stroke the instrument was dipped in water. The lad's back became one mass of sores, and it was impossible for him to lie in bed. While subject to this inhuman treatment, he was allowed three meals per day of thin water-porridge only, and in consequence of his brutal treatment boils broke out in all parts of his body. Frequently was he sent into the pit without breakfast, and obliged to perform the whole of his drudgery. What made this the more painful was, the fact of his labouring under the effects of a severe wound inflicted upon his right knee some time since. On that occasion, while beating him with a hurrier's strap, the master took hold of the end opposite the buckle (which is generally a tolerably large one), thus causing a more severe punishment; in one of the strokes the buckle caught the poor lad on the right knee, and tore away a large piece of flesh. The lad, however, was still forced to work.

"On Thursday night week this monster master ducked the lad's head three or four times in a bowl of water, wetting his shirt all over, and then forced him into the cellar, where he was locked up all night, without bed, chair, table, or even a morsel of straw! The same treatment was about to be practised on Friday night, but he begged so pitifully for mercy that he was allowed to go to bed. On Saturday night, however, he was again forced into the cellar, where he remained all night. On Sunday morning he was brought out; no breakfast was given him; but, as a further punishment, his master suspended a heavy bag of iron round his neck, and forced him to walk up and down the room, under the terror of another flogging. Some cold porridge (which had been left the previous day) was warmed up and offered him, but he could not eat. His master then left the house, saying he would look out for a good thick stick. The woman shortly after left the house for the purpose of fetching some water from a neighbouring well, and the lad, being thus for a few moments left alone, resolved upon trying once more to escape from a worse than African slavery. With great exertion he managed to unloose the bag of iron from his neck, and made his escape into Grimscar Wood. Thence he stealthily proceeded to the old Copperas Works, where he remained till nightfall. During his concealment in the old Coperas Works, he heard his master seeking him. The lad, when referring to this circumstance, shudders involuntarily, saying, 'I did tremble then.' Fortunately, however, he was not discovered. At night he proceeded to Elland, where a charitable woman took him into her house and gave him some coffee, and provided him with a bed. On the Monday he went to the constable's who took him to Mr. Joshua Dodgson, one of the overseers, who was so struck at the shocking spectacle which the lad presented that he resolved upon rescuing him from his inhuman master. He was brought before the magistrate on Tuesday by the constable, accompanied also by Mr. Dodgson. His back was exhibited and presented from the nape of the neck downwards one continued series of bruises, evidently effected by some solid but thin weapon. His right hand was also dreadfully swollen in attempting to parry off the blows. One part of his body presented rather the appearance of raw, diseased meat, than of human flesh and skin! It was at first intended to take out a warrant for assault, but on conferring with the magistrates it was thought better to take a summons for ill treatment, with a view to cancel the indentures and release the lad from the liability to such cruel treatment.

"The lad was subsequently removed to the workhouse, where he was put under propre medical treatment, and the most assiduous attention has since been paid to him both by Mr. and Mrs. Dyer. We understand that Joseph Whiteley, the lad's master, will be brought up before the magistrates this day."

Sir *J. Graham* could assure his noble Friend, that although this case was entirely unknown to him till his noble Friend commenced his address to the House, he most warmly sympathized with him in the feeling of disgust which such a statement must create in the breast of every Gentleman who heard it; at the same time, all would agree with him in hoping that there was some exaggeration in the facts as stated. He would most readily institute an inquiry into all the circumstances by sending down a person worthy of confidence into the district, and if the facts as alleged were substantiated, it would be his duty to direct that prosecutions should be commenced against the parties implicated. He was glad to take this opportunity of stating to the House, that notwithstanding anything which had occurred elsewhere with respect to the act of last Session, no one was more anxious than he was to give effect both to the letter and spirit of that act, and adhere most strictly to all its provisions.

COMMANDER-IN-CHIEF SITTING IN THE CABINET.] The question for reading the Order of the Day for going into Committee of Supply being again put,

Lord *John Russell* said, that as the House was about to proceed to the consideration of the army estimates, he wished to offer a remark with respect to the office of Commander-in-chief being now held by a Member of the Cabinet. Since the House had last had under its consideration the army estimates, the office of Commander-in-chief had been accepted by the Duke of Wellington. On military grounds no one could find any fault with such an appointment, because no man could compete with the Duke of Wellington in fitness for the office. But it was another question whether, after he had accepted the office of Commander-in-chief, the noble Duke should likewise hold an office in the Cabinet, and continue to fill a situation of considerable influence as the leader of those who were the advisers of her Majesty in the other House of Parliament. He believed it had very seldom been the case, that a Member of the Cabinet had been entrusted with the executive office of Commander-in-chief. It was true, that General Conway was for some time Commander-in-chief and a Member of the Cabinet; but since his time, no instance of a similar kind had occurred. With respect to the Duke of York and the noble Lord, whose recent decease every Member of the House must unite with him in lamenting; although both of these persons had their political sentiments, yet the Duke of York, from his great impartiality and his love of the army, was above all political considerations; and Lord Hill, from his great zeal for the military service, and his general kindness to persons of all ranks, might be regarded as one equally uninfluenced by party considerations. The Duke of York and Lord Hill were in that situation that, whatever their political opinions might be, their military character was their only distinction; so that those who agreed with them in those opinions, and those who differed from them might at any time have recourse to them without any difficulty, and with a perfect confidence in their impartiality with respect to any application that they might wish to prefer either to the favour or justice of the Commander-in-chief. The Duke of Wellington, with all his great qualities as a military man, which would peculiarly fit him for the office, had yet for some years taken a very decided part in the politics of the country, had been a very leading man in one of the great political parties, and of course could not be considered exempt from the political partialities and political dislikes to which a life much devoted to politics was likely to give birth. The Duke of Wellington, holding the high station that he did in the political councils of her Majesty, was now entrusted with the important executive duties which devolved upon the Commander-in-chief. When he stated, that a person in that situation was liable to be influenced by political considerations, he was only stating that which the Duke of Wellington had himself declared with respect to the same office. In his evidence before the commissioners, appointed to inquire into the practicability and expediency of consolidating the different departments connected with the civil administration of the army, the Duke of Wellington expressed an opinion which had the greatest weight with his noble Friend, Lord Melbourne, who was at that time Prime Minister. At the end of his statement with respect to the various departments of the army, the Duke of Wellington made this declaration:—

> "I have always been of opinion, that the Commander-in-chief ought not to be a Member of the Cabinet; my reason for thinking so is, that he ought not to be supposed to have any political influence or bias upon his mind, particularly upon the subject of the promotions in the army."

That was the opinion of the Duke of Wellington, as expressed in 1837, and it would be remembered, that in 1828, when the noble Duke became Prime Minister, it was represented to him by the whole of his colleagues, that he ought not to hold that high office in conjunction with the office of Commander-in-chief. The noble Duke, accordingly, at that time resigned the office of Commander-in-chief. Now, however, that the noble Duke had again taken the office of Commander-in-chief, and at the same time held a seat in the Cabinet, he owned he should like to have some explanation upon the subject. He wished to know whether the Duke of Wellington had changed his opinion upon the point, or whether the Government were now of opinion that the very great influence and authority and means of promotion in the hands of the Commander-in-chief should be added to the political influence of the Government.

Sir *R. Peel* apprehended that there was no constitutional rule against the tenure of a seat in the cabinet by the Commander-in-chief. There were instances in which the Commander-in-chief had formed part of the Cabinet, and of these, the case of Marshal Conway, to which the noble Lord had referred, was one. It was true that in recent times there had not been a Commander-in-chief in the Cabinet. Sir David Dundas and Lord Hill were not political characters, and it was not remarkable that they, considering their occupation, should not have had a seat in the Cabinet. In the case of the Duke of York, it was not probable that a prince of the blood, holding the relation that he did to the throne, should have a seat in the Cabinet. As far as constitutional analogy was concerned, he did not see any reason why the Commander-in-chief, in the same way as the Master-general of the Ordnance, should not be allowed to hold a seat in the Cabinet. The Duke of Wellington, whilst he was Master-general of the Ordnance, had always held a seat in the Cabinet. He presided over the whole of the concerns of that uepartment of the army, and no one thought that the tenure of that office was a reason why he should not hold a seat in the Cabinet. Take, again, the instance of the Admiralty. The authority which presided over the whole of the naval service, and superintended the whole of the promotions in the navy, the First Lord of the Admiralty, was not excluded from a seat in the Cabinet; nor were the lords of the Admiralty disqualified from sitting in the House of Commons. Lord Hill, to the great regret of the Government, had on account of growing infirmities signified a wish to retire. For some time he had retained his high office rather in accordance with the wish of the Government than his own desire, but at last he had been compelled to resign. It then became the duty of the Ministers to advise her Majesty as to who should fill the post. Under the circumstances, he (Sir Robert Peel) had not the slightest hesitation in recommending to her Majesty, that he who had so often led the armies of this country to victory, should now be placed at their head. Whatever even might be the general custom, he appealed to the House whether, in this particular case, the whole course of the conduct of the Duke of Wellington, when in command of the army, rendered it in the least probable that political motive would influence him? He (Sir Robeat Peel) had thought that the Duke of Wellington was most eminently qualified for the office of Commander-in-chief; but such also was his sense of the high qualifications of that noble Duke for civil as well as military services, that he (Sir R. Peel) should have thought it highly disadvantageous to the country if the military services of the Duke of Wellington had been secured at the expense of his resignation of a share in civil councils. It was quite true that formerly her Majesty's Ministers had entertained the opinion that the holding of the office of First Lord of the Treasury and of Commander-in-chief by the same individual was open to objection. The painful duties of both those offices were more than human strength could sustain. But it was entirely a different question whether the offices of First Lord of the Treasury and Commander-in-chief could be united, and whether a Peer like the Duke of Wellington, not holding office, but having a seat in the Cabinet, should hold the command of the army and yet retain his seat. He (Sir R. Peel) did not know whether the Duke of Wellington retained his general opinion with regard to the union of the offices of First Lord of the Treasury and Commander-in-chief, but he (Sir Robert Peel) claimed for himself the whole responsibility of the late proceeding. At the same time, the unanimous opinion of the Cabinet was conveyed to the Duke of Wellington that it was desirable for the public service that he should accept the command of the army, and at the same time retain his seat in the Cabinet. The whole responsibility for that advice fell upon him (Sir R. Peel); and he believed that the Duke of Wellington had taken that course which was in unison both with the public feelings and the public interests.

On the Question, that the Speaker do leave the Chair, Order of the Day read,

Postponement of the Supplies.] Mr. *S. Crawford* must entreat the attention of the Government to the propositions contained in the resolution of which he had given notice, and which it would now become his duty to submit to the House. At such a period as the present, when most severe and extensive distress prevailed throughout the country, it was, he thought, the duty of the House to endeavour to alleviate that distress by lightening the burden of taxation. This, he conceived, could not be effectually done, unless they took into consideration the whole public expenditure of the country, and the means by which it was to be defrayed; and in his opinion, before they assented to votes of the public money, they ought to know what amount of revenue could be drawn from the country without unnecessarily oppressing the people. It had been said, that the necessary expenditure of the country must be defrayed; but he thought that those who had the control of the revenue of the country ought, imitating the example of prudent individuals, first to look to their resources, and then to regulate their expenditure according to their means. He did not object particularly to the course pursued by the present Government, but he objected to the system which had been going on for a number of years, under all Governments, of voting the supplies before they were acquainted with the means to which it might be necessary to have recourse for making good the votes. He objected generally to the extravagant nature of the present civil and military establishments; and he thought this extravagance had arisen from no regard being had to the resources of the country at the time when those establishments were formed. The Government might think that his doctrine was tainted with the principles of Radical reform, which he was aware were not very popular in that House; but he would not hesitate to assert those principles, for he thought that no man ought to maintain opinions out of doors which he had not courage to support in that House. He found that 100,846 men were required for the army of this kingdom, 38,000 men being retained in Great Britain and Ireland. Now, he would put it to the Government whether it was necessary to keep up such a standing army? Were 38,000 men required to keep in order the people of the United Kingdom? He found that in Great Britain there was a force of 25,127 men; and, if the Government conceived that such an army was requisite in this country, he would ask what rendered it necessary? If they were compelled thus to coerce the people of Great Britain there must be something wrong in their institutions or in their legislation. He thought a great reduction might be effected in the number of troops at present maintained in Great Britain, and, if no reduction were made, he considered it a strong proof that the country was in a very discontented state. Nearly 13,000 troops, he found, were stationed in Ireland. He would ask if this was necessary, when they had in that country a constabulary force of 9,000 men, who were quite as efficient as a regular army? He begged also to call the attention of the House to the extravagant expenditure incurred for the staff, which amounted to 165,300*l.* He wished to know what necessity existed for keeping up such an expensive staff, which in his opinion was almost useless? The expense of the staff at head-quarters, in London, was 16,800*l.* The pay of the Duke of Wellington as Field Marshal was 16*l.* 8*s.* 9*d.* per day, or 6,000*l.* a year; and he must say it seemed to him wholly unnecessary that any officer should receive such pay. There were in the United Kingdom fourteen different stations of the staff, the number of which might, he thought be greatly reduced. The expenses of the Commander-in-Chief's office were 17,000*l.* a year; those of the Adjutant-general's, 12,000*l.*; and of the Quarter-master-General's, 6,600*l.* He considered this an enormous expenditure of the public money; and he thought the business might be effectively conducted at a much less cost. He found in the army estimates an item of 117,787*l.* for volunteer corps. He would put it to the House what services were rendered by these volunteer corps which entitled them to such an amount? Was there any record of their ever receiving the thanks of the House for their services, which must have been the case if those services had been important and valuable? He found in the non-effective service 198 generals, who cost the country 89,000*l.*; the amount paid to officers retired on full pay was 64,000*l.*, and the pensions allowed to soldiers amounted to 1,243,176*l.* The allowance to retired servants of the military department was 41,000*l.* In the Ordnance Department there were numerous heavy expenses, in which he thought great reductions might be effected. The effective force of the naval service for the last year cost 4,632,000*l.*; the non-effective 1,390,000*l.*; there being 184 admirals on the non-effective list. Then, in the civil department, he found that the salaries and other expenses of the Home-office cost the country 25,000*l.*, the expenses of the Exchequer were 18,000*l.*, and of the Privy Council and Board of Trade 32,000*l.*, according to the estimates for the last year. The allowances to retired and superannuated officers in the civil department amounted to 84,000*l.* To one item which appeared in the estimates, that of 39,000*l.* for secret service-money, he strongly objected. He thought, after the statements he had made last year, that some means should be taken to alter the existing system, and to reduce the extravagant expenses of our establishments. He objected to the expense of the Lord-lieutenancy of Ireland, which amounted to between 50,000*l.* and 60,000*l.* What benefit was obtained by this expenditure? Was the office of any real use? For his own part, he considered that the maintenance of the office was of no advantage to the country. He thought, if the expenses of this country were thoroughly investigated, and if its resources were properly considered, such unnecessary expenditure would not be incurred; and he would repeat, that before the House was called upon to vote supplies, they ought to have the means of ascertaining in what way the revenue of the country was to be obtained. It was peculiarly necessary at the present time, when the country was in such a state of extreme distress, that they should not recklessly vote away the public money. With regard to superannuated allowances, he thought that public officers ought to receive a sufficient compensation for their services, and that when those services were no longer required, they should have no further claim upon the country. He was well aware that reductions could not be at once effected in these establishments, but he considered that more economical plans ought in future to be adopted. He asked the House to consider the sufferings of the people; they were bound to do so; and to think of methods of relieving, instead of aggravating, the burdens under which the country groaned. He wanted to know whether the Government had any intention of relieving the people from the burden of the Income-tax, or, if not, whether they had any of relieving the great body of the community from the pressure of indirect taxation? The hon. Gentleman concluded by moving, as an amendment,—

> "That at the present period of extended distress, it is the duty of the House to consider the means of lightening the pressure of taxation on the people, by reducing to the greatest practicable extent the expenses of the military, as well as of the civil establishments of the country; that therefore it is expedient, that the voting of any supplies should be postponed till the estimates of the whole expenditure and the means to meet that expenditure be first furnished to the House."

Mr. *W. Williams* remarked on the little attention paid by the House to the duty of voting the public money. 6,000,000*l.* was about to be voted, and there were not sixty Members present. He must beg the attention of the Secretary at War to two or three particulars. The number of men proposed to be voted in the estimates was 129,481. In addition there were the Sappers and Miners, the Artillery, the Horse Artillery, the Marines on shore, and the Yeomanry Cavalry, making together a force active and effective for public service of 160,989 men. In addition still there were 20,000 policemen, 9,000 of whom were employed in Ireland, being equipped in all respects regularly like soldiers. He had lately travelled in Ireland, and when he saw that force in various parts of the country, he could not believe that a more effective force was to be found in any country. They were in all respects equal to soldiers, and from the corporal up to the Commander-in-Chief they had officers answering to every military grade, only under different names. "[*No, no.*"] Most of the superior officers in the force had been, as he was informed, soldiers in the army. They cost more than 10,000 regular troops. Then there was the metropolitan police force of 4,390 men, all receiving public pay. The two together amounted to 13,390 men, all paid out of the taxes. This number must be added to the 160,989 men, which made altogether a military force to all intents and purposes, of 174,000 men. Then there was the police force of the counties and towns, and the militia, which, however, he set down as an ineffective force, for they could be of no use, consisting, as they did, chiefly of men who had been serving in the militia for thirty years. Then there was the half-pay, on which there were 4,600 officers, and on the half-pay of the regular army, in all, 62,535 persons; on that of the Ordnance, 8,500; and, in all, there were on the half pay 84,530 men. Many of these might be considered part of the effective force; they were liable to be called into actual service, and during the late disturbances they were called out in some places, and found to be an effective force. Altogether, then, there were 258,900 men paid, and constituting with little trouble an effective force of that amount. Of the marines on half-pay there was no return, but he took them at 6,100, calculating in the same proportion for that force as for the army. Then the county and city police force amounted to 7,000, making 272,000 men paid by this country. Where could they find a country in Europe, excepting France perhaps, that had so large an effective force? Russia could show a greater force on paper, but he questioned whether she had such an effective force as this. It was monstrous, that the maintenance of such a force should be thrown on the people in their present distress. The Government could have no feeling for the condition in which the people were placed. Members of the Government had expressed sorrow and regret at the distressed state of the working classes, but he should like to see a practical proof of their sorrow by their relieving the people from the maintenance of these establishments. He said, that it was monstrous when they came to compare the expenditure with that of former Governments. In 1822, the force maintained was 71,000 men; in 1823, it was 92,117; in 1824, it was 96,677, and the average of those three years was, speaking in round numbers, 93,000 men for the whole force of the army at home, in the colonies, and in India; while in the present year it was proposed to make the number 129,481 men, though it was true there was a memorandum on the estimates which stated that it was intended to reduce the number to 123,741 men, which was nearly 30,000 men more than the average of the years 1822, 1823, and 1824. He should be glad to hear from the Secretary at War what were the circumstances which, in the midst of profound peace, when our Indian possessions had, perhaps, not been so tranquil for a great many years, and our relations with all countries were peaceable and promising, and much more so than for several years past, he should be glad to hear, he said, what circumstances rendered this monstrous force necessary? He knew, that in 1835 the whole number of men voted for the army (including India) was 100,991, making 18,535 men less than the vote for the present year. Then the difference in the cost of the army in 1835 and the present year, was 809,000*l.*, and he really thought, looking to the condition of the country, when the profits of manufacturers were almost entirely ceasing, when masses of workmen were unemployed, large numbers of those in work only half paid, and complaints were making by every class; except those who lived on the taxes, amongst whom he included the landowners, that this amount of force ought to be greatly reduced. From 1818 to the present time, the army was now larger than in any former year. Now, he came to the half-pay, the great pension list of the army. In 1818, just immediately after the accounts of the war were settled, the half-pay and pensions amounted to 2,682,000*l.*; this year that item was 2,228,000*l.*, making a reduction, after twenty-five years of peace, of only 454,000*l.* It was perfectly monstrous to maintain such a number of individuals in a state of idleness; he would venture to say, that the majority of them were much better able to work than many of those who were obliged from the produce of their work to pay them their pensions. He should feel it his duty, after the Speaker left the chair, to propose a reduction in the vote, and he hoped the hon. Secretary at War would then be able to tell him why it was that the estimate was set at so many more men than the average of 1822, 1823, and 1824, and why it was 13,800 more than in 1834?

The *Chancellor of the Exchequer* hoped the hon. Gentlemen would not think him guilty of disrespect if he did not enter into the different matters of which they had treated. In committee, his right hon. Friend, the Secretary at War would be prepared to give every information they could require. On each separate vote, every gentleman would have an opportunity of stating his views, and obtaining any information he might ask. The hon. Gentleman who spoke last, laboured under an error as to the amount of force which could be strictly called military in this country. All he should say at present was, that her Majesty's Government had done all in their power to keep down the estimates within the lowest possible dimensions.

Mr. *Hume* said, that no man in the House would deny that it was their duty to effect the greatest possible reductions in the estimates consistently with the public service; and the question now was, whether, previous to voting the supplies, the House should have information from the Ministers whether any new taxes were to be imposed, or whether any old ones were to be removed? Let it be remembered, that if the number of the army and navy had not been increased, the necessity for the Income-tax would not have arisen. The question was, did the House wish the Income-tax to be removed or not? If so, they must strike off part of the expenditure. During the five years of Lord Grey's administration, something had every year been taken off from the taxation. During the last five years, we had been getting into debt spending annually more than our income, and it was now high time to commence the work of reduction. He should regret if the House rejected a motion calculated to give so much satisfaction to the country, and for which he should certainly vote.

General *Johnson* considered the motion an exceedingly reasonable one. Seeing that the wars in China and India had been brought to a satisfactory conclusion, and the troubles in Canada settled, it was but reasonable to expect that a considerable reduction should take place in the army list. It was desirable before moving the estimates, to see what the expenditure of the country was. The House had been engaged five nights in discussing the distress of the country, which was admitted on all hands, and nobody had adverted to what was the real cause of that distress—namely, taxation. It was no use to shift the burden from agriculture to manufactures, and from manufactures again to agricultural produce; for without a large reduction of taxation no permanent relief could be afforded. If the motion went to a division, he should certainly vote for it.

Captain *Polhill* considered that the wars in which the country had been lately engaged, must necessarily have entailed a very considerable expense, and we could not attempt an immediate reduction in our establishments to any extent. The distress which existed in the country was mainly owing to the extent of our population, which from 1801 to 1841 had increased at the rate of 75 per cent, and at the same ratio would be doubled in the next nine years. The increase of machinery also had in a very great measure contributed to increase the distress by superseding human labour.

The House divided on the question that the words proposed to be left out stand part of the question. Ayes 62; Noes 15;—Majority 47.

List of the AYES.

A'Court, Capt.
Arkwright, G.
Baird, W.
Baring, hon. W. B.
Bateson, R.
Boldero, H. G.
Botfield, B.
Bunbury, T.
Chetwode, Sir J.
Clerk, Sir G.
Clive, hon. R. H.
Douglas, Sir C. E.
Egerton, W. T.
Fitzroy, Capt.
Flower, Sir J.
Forbes, W.
Fox, S. L.
Gaskell, J. Milnes
Gladstone, rt. hn. W. E.
Gordon, hon. Capt.
Goulburn, rt. hn. H.
Graham, rt. hon. Sir J.
Greene, T.
Grimsditch, T.
Hale, R. B.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hepburn, Sir T. B.
Herbert, hon. S.
Hope, hon. C.
Hope, G. W.
Hughes, W. B.
Jermyn, Earl
Kemble, H.
Knatchbull, rt. hn. Sir E.
Knight, H. G.
Lygon, hon. Gen.
Manners, Lord J.
Masterman, J.
Meynell, Capt.
Morgan, O.
Neeld, J.
Neville, R.
Nicholl, rt. hon. J.
Norreys, Lord
Packe, C. W.
Peel, J.
Polhill, F.
Rashleigh, W.
Round, J.
Sibthorp, Col.
Somerset, Lord G.
Stewart, J.
Sutton, hon. H. M.
Tennent, Jas. E.
Thompson, Mr. Ald.
Trench, Sir F. W.
Trotter, J.
Waddington, H. S.
Wood, Col.
Young, J.

TELLE
Fremantle, Sir T.
Baring, H.

List of the NOES.

Aldam, W.
Blake, M. J.
Blake, Sir V.
Blewitt, R. J.
Brotherton, J.
Browne, hon. W.
Busfeild, W.
Cobden, R.
Fielden, J.
Johnson, Gen.

Marsland, H.	Williams, W.
Pechell, Capt.	TELLERS.
Thornely, T.	Hume, J.
Turner, E.	Crawford, W. S.

House in committee.

Army Estimates.] Sir *H. Hardinge* rose to move the Army estimates. The estimate proposed for the present year ending on the 31st of March, 1844, was 6,225,103*l.*, which showed a decrease as compared with the former year of 139,323*l.* The number of officers, non-commissioned officers, and rank and file proposed to be maintained, exclusive of the troops employed in the East Indies, was 100,846*l.* It was, however, intended to effect a reduction in the rank and file of the above numbers by suspending the recruiting in fifty-nine regiments at home and abroad, until their numbers were reduced to 740 rank and file each. The total reduction intended to be effected as compared with the numbers provided by the supplementary estimate of July, 1842, was 5,740 rank and file. To aid in effecting the reduction, three regiments, intended last year to have been raised from 800 to 1,200 rank and file each, would not be augmented. It was also intended to bear on the present estimates four regiments returning from India and China at 740, instead of 1,000 rank and file each, by allowing them to fall through casualties to 740 rank and file each. He believed the hon. Member for Montrose approved of the mode in which it was intended to effect this reduction, not by making any reduction of regiments, but by not filling up the casualties as they occurred. It was necessary in the estimates to put the number of officers, non-commissioned officers, and men at 100,846, because that was the number of the establishments of the regiments as they at present existed, and it was necessary to insert that number in the Mutiny Act, but the reduction would be effected during the year. A saving of 133,000*l.* would be the result of the diminution of 5,740 men. Her Majesty's Government had made this reduction in consequence of the satisfactory termination of the late events in Affghanistan and China, and, he might add, the improved state of affairs in British North America, as well in consequence of the settlement of the boundary question as of the internal quiet of Canada. In China there had been five Queen's regiments. Two would be withdrawn during the present year, and three would remain in the island of Hong Kong. From India two regiments would return to Europe during the present year. From Canada, three regiments would be withdrawn as soon as the season permitted, and would not be replaced. Since he had last laid the estimates before the House, two battalions of the guards, one regiment of cavalry, and another regiment of infantry had been withdrawn; making a reduction of 5,000 troops in Canada, exclusive of the reduction of 2,300 paid volunteers in Canada, the present expense of which was 105,000*l.* When hon. Members asked why there had not been on the whole force a greater reduction, he must remind them that the force at home did not so much depend upon the necessities of the home service, as on the required relief of our troops abroad. He did not shut his eyes to the state of this country, and to the amount of distress in Manchester and elsewhere; he recollected that under like circumstances, three years ago, the noble Lord opposite had come forward and asked for 5,300 additional men, expressly on account of the disturbed state of England; at the same time he had always argued that the amount of the force at home must depend upon the necessity of the numbers employed abroad. About two-thirds of the force were employed abroad. and it required at least one-third to be at home to supply the necessary reliefs for those abroad. And here he would shortly allude to the state of our troops on foreign stations. If they took the state of India and China during the last four years, they would find that nine additional European regiments had been employed in those quarters beyond the ordinary peace establishments. In Canada, during the last five years, there had been ten additional battalions; that was to say, there were nine battalions in Canada in 1837, and there were nineteen battalions in 1843. So that in these two quarters alone there had been employed nineteen battalions beyond the ordinary peace establishments of the country. He would ask whether it were possible to adhere to the number of 103 battalions which was the peace establishment to perform all the duties of war, without disturbing the relief of other battalions in other colonies? It was the pressure of these nineteen battalions employed in these two quarters alone that had disturbed all the reliefs. The House would see, too, from these circumstances, that it was quite impossible to make a reduction in the number of troops and with the same rapidity as they received the news of their successes. Two regiments were coming home from China; but it was impossible to make the reduction till the troops should arrive in this country. So with respect to Canada, the troops could not be withdrawn till the season permitted. Under all circumstances, therefore, he contended that the present reduction of 5,740 men was as large as could reasonably be expected. It was very important for the well-being of the troops, and for the discipline of the army, that they should be periodically relieved, and that they should not remain abroad for a very long period. He would instance three regiments coming home from India: one had been there twenty years and a half, another had been twenty years, and a third had been twenty-one years and a few months in India. Was that a fair and reasonable proportion of time for service abroad? When he informed the House that Lord Liverpool's Government had laid down the principle that troops should serve ten years abroad and five years at home, that the same principle had been adopted by the Government of the Duke of Wellington, that it had been maintained by the Governments of Lords Grey and Melbourne, and had been assented to by his right hon. Friend the present First Lord of the Treasury, he would ask whether such long service abroad as that which he had stated was proper? It was necessary for the maintenance of the discipline of the troops, and for their health, that their hopes of relief should not be disappointed. The arrival of the battalions on these shores would give future relief to the army at large, of which at present they were greatly in need. Of the twenty-three regiments in England, except one which was under orders to go abroad, there were none which had been more than three years at home. It must take some time to recruit the energy of British soldiers; and if they looked at those regiments which were three years at home, and from fifteen, eighteen, or twenty years if abroad, they must see that previously the required relief not being forthcoming, those energies could not be repaired. Without entering upon the question of the distresses of the people, or of the large establishments obliged to be kept up to coerce the people alluded to by the hon. Member for Coventry, it was necessary for the well-being of the army, and for the health of the men, that there should be an interval of repose from colonial service; and these considerations which had been concurred in by all Governments, had rendered it necessary to regulate the number at home by the larger number employed abroad. With regard to the West Indies, they had been enabled to effect the reliefs regularly, every battalion had been relieved in three years. This regulation had been pressed by the noble Lord opposite the late Secretary-at-War; it did the noble Lord great credit, and it had had the effect of conferring great benefits on the service. His noble Friend the Secretary of State for the Colonies (Lord Stanley), whose absence, and particularly the cause of it, he much regretted had been able also to withdraw one battalion from the West-Indies, which would not be replaced. During the last year there were two companies added to the 3rd West India regiment which enabled the Government to withdraw one European battalion from the West Indies. with regard to the Cape of Good Hope, another battalion was on its way to the Cape, and a cavalry regiment would be sent; these were required in consequence of the state of thingsat Port Natal, to which it was not necessary further to refer. In Australia there would be 1,000 more troops than last year. There were in that colony 17,000 or 18,000 convicts, men of desperate characters and of vicious propensities, and the lives and properties of the settlers were not safe unless they were protected by an additional force. The force had been necessarily increased from time to time. In 1820 the whole force, was only 550 men; in 1822 there were 600 or 700; and the number had gone on increasing till there were 5,000 men in Australia. But at the same time that there had been this progressive increase in this colony, the numbers of the regiment of the infantry of the line had been in a great degree stationary. He admitted that, since 1835, there had been an increase of 13,000 men. He had, however, shown how they were disposed of. The vote he proposed for the charge of the land service in the United Kingdom and in the colonies was 3,619,327*l.*, being 133,592 less than last year. The vote he proposed for the staff at home and abroad (exclusive of India) was 165,301*l.*, being a decrease on the year of 1,721*l.* There had been a decrease in this vote for the staff abroad of 5,330*l.* He admitted, however, that there had been an increase at home, and for the following reasons:—During the disturbances of the last year, it was necessary for the direction of the movement of the troops, and, in consequence of the large force which was collected in the manufacturing districts, that another lieutenant-general and major-general should be employed in that service; for, notwithstanding the ability and the efficiency of his gallant Friend in command of the northern district, it was impossible, from the general character of the disturbances, and the great extent of country over which they extended, that one man, with a small staff could regulate all the movements. It might, perhaps, be mentioned, that the force drawn together at the period of those disturbances was 10,000 troops, and from 6,000 to 7,000 Yeomanry Cavalry. In all duties and emergencies of this kind it was of great moment that every thing should be well conducted, and that there should be no delay in sending the orders direct to the point mentioned. He hoped that he had given sufficient reasons for this increase at home, The next vote was for the public departments, for which he proposed a sum of 88,075*l.*, being an increase of 5,608*l.* This was a great increase, but it arose partly from the increase of the postage charge which he was afraid would show an increase every year, for the correspondence increased, and although the departments paid their postage, there was a great unwillingness on the part of their correspondents to pay the penny, and the letters coming to the offices were, therefore charged twopence. The consequence was, that there was an increase for postage of 3,000*l.*; there was, likewise, an addition of 360*l.* for clerks, and also an increase of 2,515*l.* in the pay of the Commander-in-chief, because hon. Members must be aware that the Duke of Wellington, as a field marshal, received larger pay than a lieutenant-general when acting as Commander-in-chief. The next vote was, 13,606*l.* for the Royal Military Asylum and Hibernian School, being a decrease of 1,403*l.* The next vote was for the Volunteer corps, which, last year, was 82,458*l.*, and was raised this year to 117,787*l.*, being an increase of 35,329*l.* This large increase arose from the pay and allowance to the troops called out for service during the late disturbances. 19,000*l.* was required to defray the expenses incurred for their duty in aid of the civil power beyond the amount provided for that service in 1842-43. There were also 1,407 additional men, to whom it was necessary to pay three years in advance for clothing and equipments, amounting to 12,663*l.*, but this expense would be diminished in future years. There was also an increase in this vote of 3,600*l.*, upon account for the expense of corps when assembled for exercise or for permanent duty, or in aid of the civil power, and expense of inspecting field-officers. There was also this year a new head of unprovided services of former years, amounting to 1,373*l.* He had transferred the army extraordinary to the ordinary estimates for future years, under the head of unprovided services: a practice which he had seen established with success in the Ordnance department. These eight votes closed the whole of the votes for the effective service, and amounted together to 4,005,469*l.*, being a diminution since last year of 94,836*l.* He came now to the votes for the non-effective services. The rewards for military services amounted to 14,451*l.*, being a decrease on the year of 830*l.* The vote for the army pay of general officers was 89,000*l.*, being a decrease of 9,000*l.*, owing he lamented to say, to the decease of general officers. There had been a decrease of 15,000*l.* in the vote for the full pay of retired officers, the whole vote being 457,000*l.*; and a decrease of 2,508*l.* in the foreign half-pay, the vote for which this year was 55,925*l.* The hon. Member for Coventry (Mr. Williams) had complained of the small decrease in the half-pay since the year 1818. He had not the amount for that year; but he would take for comparison the year 1821, because he believed it would be found that the half-pay was still heavier in that year than in 1818, a larger proportion of troops having been disbanded. The half-pay of retired officers, general officers, and foreign half-pay, had been diminished since 1821, owing to the death of 6,949 officers, by the sum of 647,416*l.* The reduction under another head since he (Sir H. Hardinge) was Secretary at War in 1829, including the commutation of 20,000 pensions, had diminished the estimates 281,000*l.* Under two heads alone he found that the half-pay to officers and men, and military allowances, as compared with the year 1821, had been diminished by the sum of 928,416*l.* He hoped that, in the opinion of hon. Members opposite, this statement of diminution would be satisfactory. The vote for widow's pensions was 140,760*l.*, being a decrease on the year of 733*l.* As that vote reached 148,000*l.* some years ago, and was now only 140,760*l.*, he trusted that it had reached its maximum, and that hon. Gentlemen would not now grudge the vote when they recollected that, by this provision, they aided the families of many poor but distinguished officers, such as Colonel Dennie, for whom he had to apply to the Treasury, and her Majesty showing the utmost anxiety to provide for his mother's and daughter's support. The proposed vote for compassionate allowances this year was 118,000*l.*, being a decrease of 2,500*l.* upon the whole of the non-effective service. He could show that there had been a diminution in the dead weight of 1,000,000*l.* With regard to another important item, for the in-pensioners of Chelsea and Kilmainham hospitals, and the out-pensioners of Chelsea Hospital, the proposed vote was 1,239,498*l.* for 73,500 pensioners, being a decrease on the year of 11,916*l.* He had said before that there had been a diminution of 20,000 pensioners during the last thirteen years, and he believed that the diminution was going on at the rate of 1,200 or 1,300 men a-year. In the course of the year he had appointed a certain number of staff-officers to be attached to the large towns in Scotland, to superintend the pensioners there. He hoped to be able to adopt the same plan in other large towns; for although no decision had yet been come to, the question was under the consideration of the Treasury whether the same plan should not be extended to Great Britain. In his opinion the system had proved completely successful in Scotland. At the time of the appointment there were 200 pensioners receiving parochial relief, and now there were not more than 19 or 20. This superintendence had improved the condition of the pensioners, by the substitution of weekly for quarterly payments. He had also established the same principle in six of the principal towns of England such as Manchester, Leeds, Birmingham, Sheffield, Bristol, and Halifax. He believed it would answer very well, and that the good effect would fully compensate for the extra expense in the estimates. The last vote was for superannuation allowances of 41,000*l.*, being the same vote as last year. The total decrease of the non effective services was 44,487*l.* The sum required for the nine last votes was 2,219,634*l.* The sum required for the effective services, as he had stated, was 4,005,469*l.*, making total charge for 1843-4 of 6,225,103*l.*, and showing a diminution of 139,323*l.* on the charge of the present votes compared with the charge in the year 1842-3. He would not detain the House by any further remarks, but would conclude by moving,—

> "That the number of land forces not exceeding 100,846 men, exclusive of the men employed in the territorial possessions of the East India Company, commissioned and non-commissioned officers, be maintained for the service of the United Kingdom of Great Britain and Ireland, from the 1st day of April, 1843, to the 31st day of March, 1844,"

Mr. *Hume* was of opinion that the country was entitled to reduction beyond that which had been announced by the right hon. Baronet the Secretary at War. He thought, that the colonies, and the Canadian colonies especially, were entitled to complain that they were subjected to the burthen of too large a body of troops. Canada was now in a state of perfect quiet. She wanted no troops at all; the colonists were quite capable of defending their own territory; or, at all events, a body of 1,500 men would be amply sufficient for her defences. For her internal government the presence of troops was no longer necessary. The new system of policy which had been introduced by the present Government, had done much to re-establish peace and contentment, and the colonists themselves were most thankful for the change. He called upon the right hon. Baronet to withdraw the troops from that colony; and he begged to point out that if this were done, the duties on cotton and wool might be repealed, and thus two most important branches of trade might be relieved. With regard to the Cape of Good Hope, he believed, that no increase of our military force was necessary there. He believed, that the grossest acts of injustice had been committed there, and that if this were not so, 3,000 men would not have been found to quit their homes and fly to the wilderness rather than remain the slaves of unjust power. Why were fresh forces being now sent out? It was to undertake fresh operations against these unfortunate men—to hunt them down and destroy them. He believed, that the present position of this colony was owing to the course of management which had been hitherto pursued towards these persons; and that neither contentment nor peace would be restored until they were allowed to have a voice in the management of their own concerns. Our Australian colonies had now arrived at that point, he thought, when they should bear their own expenses. He admitted, that if we sent convicts to them, we were bound to send the means of their maintenance. If a smaller number of troops were kept in our colonies, the reliefs on the system proposed by the Government of keeping the troops ten years abroad, and five years at home, might be carried out with a considerable reduction of the army. In a general point of view also, he thought, that the time had come for a reduction of our military force. Our position in Europe, he felt, called for such a step. We gained no respect by maintaining such a large body of troops. Our power only led us into aggression, such as that of Affghanistan, and our aggressions made all the world rejoice at our defeats. He believed, he was sorry to say, that our disasters in that country had been heard of with pleasure throughout Europe. It was our interest then to assume a position of independence, and show that we feared no unexpected attack. Why not follow the example of France? What had she done in the last two years? Her force had been reduced from nearly 500,000 to 344,000 men. Let her Majesty's Government display its magnanimity; let there be an immediate reduction from 97,000, which was to be the standing force, to the old number 75,000 men. Considering the distressed condition of the country and the present state of peace, he thought a reduction might be made in the force of the army to the extent of 20,000 men. If the right hon. Baronet at the head of the Government would consent to reduce the military forces of the country to what they were in 1835, he would at once be enabled to get rid of the Income-tax. With a view of entering his protest against the maintenance of the proposed force, he should move to reduce the number of men from 100,846 as proposed by the right hon. and gallant Member opposite, to 90,846 men.

Lord *A. Lennox* could not, as a soldier, allow this opportunity to pass without expressing his grateful thanks to the right hon. and gallant Member below him, for the great boon he had conferred upon the service by the warrant of the 19th of October 1842, regulating the passage allowance to officers in the army. He was also happy to find, that the right hon. and gallant Gentleman was prepared to carry out the intention of the noble Lord the Member for Sunderland (Lord Howick), as to the formation of libraries in the various barracks, and of making arrangements for manly exercises and games among soldiers, in order to fill up their vacant time when not engaged in duty or at drill. By these means, it could not be doubted that the *morale* of the army would be much improved. He could not avoid also calling the attention of the right hon. and gallant Officer to a subject which he had before pointed out as one of the greatest evils in the service—he alluded to the retiring pension of 6*d.* per day granted to discharged soldiers. It had been said, it was a great object to get a better class of men to enlist; but was it to be expected that good men would enlist, when all they had to look to for their support after the service of a quarter of a century, was the miserable pittance of 3*s.* 6*d.* per week? After such a period of service, often in unhealthy climates, they could not go back to the plough or to the loom, from which they originally came. He asked for some advance to these deserving men, and hoped the Government would not leave them to the tender mercies of the hon. Member for Montrose. Again, he wished also to point out another matter for the attentive consideration of the Government—he meant the subject of the pensions to the widows of officers of the army. The right hon. and gallant Member below him (Sir H. Hardinge), was well aware that under certain limitations every officer's widow was entitled to a certain pension. The widow of a major, for instance, was entitled to 70*l.* a-year; but if that major had purchased unattached rank, paying double the actual value of the commission—namely, 1,300*l.* for half-pay rank, and 1,300*l.* more for full-pay rank, and if he happened to die before he was put on full-pay, his widow was prevented from obtaining any pension whatever. Many cases of great hardship had occurred in this respect, and he trusted the subject would meet with due attention from the Government. He could not help remarking upon that part of the speech of the hon. Member for Montrose, in which he made the extraordinary statement that all Europe had rejoiced at the recent discomfitures of the British army, especially in Affghanistan; and then, in the same breath, the hon. Member called upon the Government to reduce the strength of the army. This was an argument which would not hold good in the committee he had now the honour of addressing.

Captain *Layard*: I trust the kind indulgence of the House will be granted to one who having been twenty years in her Majesty's service, has made it his pleasure, as well as his business, to inquire in what manner the comfort and happiness might be best consulted of those to whom, in my mind, the country is so much indebted—I speak of the private soldier; and I trust the House will give me credit for sincerity while pleading their cause, however I may be found wanting in ability. When the right hon. Baronet the Secretary at War last Session of Parliament brought forward the army estimates, I then stated my belief that considerable advantage would arise to the good discipline of the service by allowing men of good conduct a free discharge at the expiration of ten years. I believe that by such being the case, desertion would be much less frequent, a better description of men would enter the service, and that many a man now, who is a worthless character from the utter hopelessness he has of getting a release from a service for which, for many reasons, he may find himself totally unfitted, would, from having such a prospect before him become a valuable and efficient soldier. And I can truly say I was greatly delighted by finding this opinion was coincided with by that of the right hon. Baronet the Secretary at War. I, therefore, have every reason to hope that this beneficial measure will be carried into effect. The next circumstance to which I wish to call the attention of the House is the benefit that would be derived by allowing the wives and children of soldiers when suffering from sickness, to be received into wards of the regimental hospital, set apart for that purpose or, if that could not be done, that a separate hospital might be built at each military station for their accommodation. The women and children of the private soldier, when taken ill, are obliged to be sent out of barracks for fear of infection to the men. When suffering from disease they naturally conceal it as long as possible, well knowing the misery they will have to endure, when depending on the pittance, which is all they can expect, from the pay of a private soldier; and I do think, that it is shocking to the feelings of humanity, that it is not unfrequently the case that these unfortunate women have to undergo the pains of childbirth in the room with five or six men. I believe that the men would be very glad to pay, as far as in their power, to meet any additional expense, and it is my firm conviction that the extra trouble which must arise to the surgeons would be cheerfully borne by them. I feel convinced that this would be the case; because all who know them can bear witness that no set of men in the world are more actuated by the feelings of humanity, kindness, and generosity, than the medical men in the British service. There is another circumstance that weighs very seriously upon the good conduct of the soldier, upon his first entering the British service, which is the smallness of the bounty. A cavalry soldier's bounty and equipment money comes to 6*l.* 17*s.* 6*d.*—his whole kit costs 8*l.* 3*s.* 7½*d.*; an infanty soldier's bounty comes to 3*l.* 17*s.* 6*d.*, his kit to 4*l.* 9*s.* 10½*d.*, leaving him in debt 12*s.* 4½*d.* Now, the man upon enlistment is not aware that this money is to be laid out upon equipments; and on being, after his first joining, settled with by the officer of his troop, he is grearly disheartened at finding a debt against him, which, to a man in that situation, is considerable, instead of receiving a sum of money he had a right to expect; and it is my belief that many a man has deserted soon after his joining by thinking he has been deceived from this circumstance, and and therefore thinking it less harm to deceive others. I am happy to say, that desertion, like all other crime, is becoming less prevalent in the army. I believe that a system of rewards would still more lessen all crime. I can bear witness to the excellent effects of the distinctions for good conduct and extra pay, which measure was brought forward by the noble Lord the Member for Sunderland. But every one who is interested in the welfare of the soldier must most deeply deplore that it should ever for a moment have been thought necessary to reduce the pension to the miserable pittance of 6*d.* a-day. What! can this country, the richest in the world, afford for her gallant defenders no better reward? Are those who have carried her standard to victory in the most remote climes, have never flinched before the enemy, or, what is still more trying, have never hesitated to expose themselves to the vicissitudes of climate, who have brought to a happy and prosperous conclusion the wars in Affghanistan and China, and by whose discipline and good conduct the late unhappy risings in the manufacturing districts were brought to so happy a termination—I call upon you, at a time when honours and distinctions are being given to those who commanded them on those occasions, and deservedly given, not to forget those on whom these successes have so mainly depended; and when it is remembered that the life of a soldier does not average above forty years, I feel persuaded, that the country will not think it too much to ask for a shilling a-day retirement for the few who escape so many viscissitudes. Since the last time the right hon. Baronet brought forward the army estimates, that army has suffered a very severe loss from the death of that excellent and brave man, Lord Hill; but while we drop a tear to the memory of the soldier's friend, there is no reason we should sorrow as men without hope. In having our present Commander-in Chief, who can for a moment suppose that the nterest of the private soldier will not be attended to? Far from it; we have every reason to believe that he who has been their victorious leader through 100 fights, having proved their merits and deserts, will use that influence which he so largely possesses in seeing those merits properly rewarded. I now sincerely thank the House for the attention it has granted me, and shall feel that I shall be well rewarded for the attention I have paid to this subject, for the number of years I have been in the service, if anything that has fallen from so humble an individual should be the cause of the country rewarding more adequately the deserts of the private soldier.

Mr. *W. Williams* observed, that in 1822, which was like the present year in one respect, namely, the prevalence of distress, but which was not, as now, amongst the working and manufacturing classes; it was amongst the rich agriculturists; the Government were compelled to make a great reduction in the army. This was just at the time when the Currency Bill began to produce such direful effects, and the right hon. Baronet the present Secretary for the Home Department was most active in his exertions to cut down the expenditure of the country. In 1822 the army was 91,700, in 1823 it was 92,000, and in 1824 it was increased to 96,000. The average of these three years would give the number of the army at 93,000, exclusive of those in India. He could not conceive that there could be any sound reason for having upwards of 13,000 men more now in the army than was deemed necessary in those years. The right hon. Gentleman had shown that, with the three regiments he had alluded to, there could be a shorter period of relief, but this could not justify them making such an enormous addition to the army. He was satisfied that, if the landed interest was in a similar state of distress to what it was in 1822, there would be a ready expression of feeling in that House to reduce the army even to a greater extent than was proposed by his hon. Friend the Member for Montrose, but as distress prevailed at present only amongst the manufacturers and working classes, there was no expression of sympathy on the subject. With respect to widow's pensions, he would only observe that he would be the last person in that House to refuse them in cases where the officer had served the country, but he complained that they were too often made a matter of patronage, and were often bestowed in cases in which no service had been rendered to the state, but were conferred merely from the aristocratic connection of the party.

Sir *H. Hardinge* denied, that the bestowal of pensions on the widows of officers had anything whatever to do with the aristocratic connection of the parties. The hon. Member was altogether mistaken as to the principle on which the pensions were granted, and the regulations were of such a nature, that pensions could not be granted unless proofs were given of the service of the officer whose widow applied for it. There were some hardships at present as regarded the pensions to officers' widows. For instance, there was a regulation under which a widow forfeited her pension if she re-married. He had known several instances of great hardship arise out of this regulation, and it was one that was not framed by the Government, but the adoption of it was forced on the War office by the recommendation of a Finance Committee of that House. He recollected, that soon after the war, some such regulation was found to exist, and was considered to be a great hardship on officers' widows. The matter was brought under the notice of Parliament by Lord Littleton in that House, and by Lord Lansdowne in the other; and the regulation appeared to be of such a harsh character, that it was rescinded. The Finance Committee of 1828, however, recommended that it should be again adopted, and this recommendation, of course, was equivalent to forcing the adoption of the rule on the War-office. By the regulations now in force, no officer's widow could get a pension, if her late husband had not served on full pay for ten years, nor could any officer's widow obtain a pension whose husband married her after he was sixty years of age. With respect to the observation of the hon. Member for Montrose, that the reliefs should be so regulated that regiments should serve ten years abroad and five years at home, and that this arrangement could be effected, if they kept a smaller number of troops in the colonies, the hon. Gentleman said, that the number of troops in our colonies was much too great, and that the force in Canada should be reduced to 2,000. He would not go into the question of Canada, as that was a point so involved in political considerations, that it would require separate discussion; but he must express his entire dissent from the sweeping observations of the hon. Gentleman, that the force kept up in all our colonies was too large. He would challenge the hon. Gentleman to point out a single colonial possession belonging to this country in which the number of troops was too great. A committee sat upon this subject a few years ago, in 1834 and 1835, of which the hon. Gentleman was a Member, and it most carefully and zealously investigated the whole question of military expenditure in our colonies, and also as to the amount of force which was kept up in each of them; and the result was, after two years' investigation, that they came to a resolution, that there could not, with safety to the colonial interests of this country, be any reduction of troops in any of them. In some of our colonies it was found that they had been left with fewer troops than was deemed necessary for their safety. The result of the committee of 1834 and 1835 was, that there was not a single regiment too many employed in the colonial service. His noble Friend, the Member for Chichester, had alluded to the small amount of pensions given to the veteran soldier, after twenty-four or twenty-five years' service. He could assure his noble Friend, that the matter had not escaped the consideration of the proper authorities, and although he could not make any further announcement at present, still he might observe, that the subject would not be lost sight of. With regard to what fell from the gallant Officer opposite (Captain Layard) on the subject of the free discharge of soldiers after a certain number of years' service, he would observe, that in 1829, he carefully considered the whole subject, with the view of seeing whether some means could not be devised for lightening the dead weight of the army. In consequence of this arrangement, a man could obtain his discharge after fourteen years' service, and on the payment of a certain sum, after a smaller number of years service. When this graduated scale for purchasing a soldier's discharge from the army, varying between seven and fourteen years, was first suggested, it was strongly objected to, but experience had proved the advantage of the regulation. The existence of this regulation had tended to remove much of that dissatisfaction which formerly prevailed in the minds of persons against their relations entering the army, and it was also found to work beneficially in diminishing the inducement to desertion. He found that the number of men, who had purchased their discharge from the service, under the regulation of 1829, was not less than 13,000, and the amount received for the purchase of their discharges was 252,000*l*. But if the amount that was saved by the savings of pensions was also taken into account, the benefit that had accrued to the public under this regulation, would be found to be not less than 450,000*l*. As far as he could judge from the data in his office, the regulation with respect to free discharge after fourteen years' service, had been found to be attended with the greatest advantage. He was not then prepared to say whether the period of service under this regulation might not be reduced from fourteen to ten years; but he would promise the gallant Officer that the subject should receive due consideration in the proper quarter. With respect to raising the bounty on enlisting, he would only say, that he was aware that it often happened that many of the soldiers were unhappy for several months after entering the service, in consequence of being in debt for their kits, and that this often induced men to desert from their regiments; this was a matter which deserved consideration. He trusted that the House would not sanction the amendment of the hon. Member for Montrose; and he must say, that he never recollected an instance where a case for reduction was so badly made out.

Colonel *Peel* merely wished to make one observation with respect to the complaint that had been made as to the defective state of the muskets in the British army, and as to the assertion that the British soldiers were worse armed than any other European army. The matter had excited a great deal of attention at the Board of Ordnance, and steps had been taken by which the soldiers of the British army would be gradually armed with percussion muskets.

Sir *A. L. Hay* could confirm the statement of the right hon. Gentleman, the Secretary at War, as to the proceedings of the committee of 1834, and which came to the determination, after the most attentive examination of the matter, that no further reduction could be made in the force employed in the colonies, with any regard to the safety of those possessions. If the hon. Gentleman could prove that the force employed in the colonies was more than adequate for the public service, there would be some ground for the motion, but the hon. Gentleman had done nothing of the kind. The hon. Member said, that if there were only 2,000 soldiers kept in Canada, that it would be much easier to give them relief; but this was begging the question, for the hon. Gentleman must, in the first instance, show that the amount of force that he had stated was all that was necessary for the defence and preservation of that important colony. The hon. Gentleman had alluded to the reduction which had been made in the French army, but he should recollect that the colonial possessions of France could not be put on a parallel with those belonging to this country. After the clear and able statement of his right hon. and gallant Friend, the Secretary at War, he felt it unnecessary to trouble the House at greater length, but certainly must say that no case had been made out to justify the adoption of the amendment.

Sir *H. Douglas* said, that having lately returned from service in an important possession connected with this country, he felt called upon to say a few words before the committee came to a decision on the question. He could assure the House that the force stationed in the Ionian Islands had been reduced to such an extent as to make the duty most harassing to the troops; and it was found that such was the severity of the service, that the health of the soldiers was rapidly declining under it. He had felt it to be his duty to make repeated applications in the proper quarter for an increase of force; and although the justice of the application was uniformly admitted, yet he was always met with the observation that the exigencies of the service prevented any other arrangement than then existed. He felt a great deal of difficulty in bringing his mind to sanction the proposition of the Government for the reduction of the army, knowing as he did the various and arduous services that it was called upon to perform in all parts of the world; but he certainly should most strongly protest against the adoption of any such proposition as that of the hon. Member for Montrose.

Mr. *Hume*, in reply said, that he should have no difficulty in showing clearly that the committee of 1834 had arrived at erroneous conclusions as to awarding the number of troops to the several colonies.

The committee divided on the question as proposed by Mr. Hume, that the number of land forces for the year be 90,846 men.—Ayes 20; Noes 106:—Majority 86.

List of the AYES.

Blake, M. J.
Blake, Sir V.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Cobden, R.
Crawford, W. S.
Duncan, Visct.
Duncan, G.
Fielden, J.
Johnson, Gen.
Marsland, H.
Roebuck, J. A.
Strickland, Sir G.
Thornely, T.
Turner, E.
Wawn, J. T.
Wood, B.
Yorke, H. R.

TELLERS.
Hume, J.
Williams, W.

List of the NOES.

Arbuthnott, hon. H.
Arkwright, G.
Astell, W.
Baird, W.
Baring, hon. W. B.
Baring, rt. hon. F. T.
Boldero, H. G.
Botfield, B.
Broadley, H.
Bruce, Lord E.
Busfield, W.
Campbell, A.
Chetwode, Sir J.
Christopher, R. A.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Colborne, hn. W.N.R.
Colebroke, Sir T. E.
Corry, rt. hon. H.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.
Denison, E. B.
Douglas, Sir H.
Douglas, Sir C. E.

Duncombe, hon. A.
Ebrington, Visct.
Eliot, Lord
Fitzroy, Capt.
Flower, Sir J.
Forbes, W.
Fox, C. R.
Fuller, A. E.
Gaskell, J. M.
Gill, T.
Gore, W. R. O.
Graham, rt. hn. Sir J.
Granger, T. C.
Grimsditch, T.
Grimston, Visct.
Hale, R. B.
Halford, H.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Hardy, J.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hepburn, Sir T. B.
Herbert, hon. S.
Hinde, J. H.
Hodgson, R.
Hope, hon. C.
Hornby, J.
Hughes, W. B.
James, W.
James, Sir W. C.
Jermyn, Earl
Kemble, H.
Knatchbull, rt. hn. Sir E
Langston, J. H.
Layard, Capt.
Lennox, Lord A.
Lincoln, Earl of
Lockhart, W.
Lygon, hon. Gen.
Mahon, Visct.

Mainwaring, T.
Manners, Lord J.
Marton, G.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Morgan, O.
Neville, R.
Nicholl, rt. hon. J.
Packe, C. W.
Palmerston, Visct.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Polhill, F.
Protheroe, E.
Rashleigh, W.
Repton, G. W. J.
Rice, E. R.
Ross, D. R.
Rous, hon. Capt.
Russell, C.
Shaw, rt. hon. F.
Sibthorp, Col.
Somerset, Lord G.
Sotheron, T. H. S.
Stanton, W. H.
Stewart, J.
Sutton, hon. H. M.
Tennent, J. E.
Trench, Sir F. W.
Trotter, J.
Turnor, C.
Waddington, H. S.
Walsh, Sir J. B.
Wood, Col.
Wood, Col. T.
Young, J.

TELLERS.

Fremantle, Sir T.
Baring, H.

The original proposition to vote 100,846 men agreed to.

On the vote of 117,787*l*., for defraying the charge of the Volunteer Corps for the ensuing year,

Mr. *Williams* said, that he was so strongly opposed to this most unconstitutional force, that he would divide the committee against the grant.

The Committee divided:—Ayes 98; Noes 28: Majority 70.

List of the Ayes.

Acton, Col.
Arbuthnott, hon. H.
Arkwright, G.
Astell, W.
Baird, W.
Baring, hon. W. B.
Boldero, H. G.
Botfield, B.
Broadley, H.
Bruce, Lord E.

Chelsea, Visct.
Chetwoode, Sir J.
Christopher, R. A.
Clerk, Sir G.
Clive, Visct.
Clive, hon. R. H.
Corry, rt. hon. H.
Damer, hon. Col.
Darby, G.
Davies, D. A. S.

Denison, E. B.
Dick, Q.
Douglas, Sir H.
Douglas, Sir C. E.
Duncombe, hon. A.
Eliot, Lord
Escott, B.
Fitzroy, Capt.
Flower, Sir J.
Fox, S. L.
Fuller, A. E.
Gaskell, J. M.
Gordon, hon. Capt.
Gore, W. R. O.
Goulbourn, rt. hn. H.
Graham, rt. hn. Sir J.
Grimsditch, T.
Grimston, Visct.
Hale, R. B.
Halford, H.
Hamilton, W. J.
Hardinge, rt. hn. Sir H.
Hardy, John
Hay, Sir A. L.
Hepburn, Sir T. B.
Herbert, hon. S.
Hodgson, R.
Hope, hon. C.
Hornby, J.
Hughes, W. B.
James, W.
Jermyn, Earl
Jones, Capt.
Kemble, H.
Knatchbull, rt. hn. Sir E
Knight, H. G.
Langston, J. H.
Lincoln, Earl of
Lockhart, W.
Lygon, hon. Gen.
Mahon, Visct.

Mainwaring, T.
Manners, Lord J.
Master, T. W. C.
Masterman, J.
Meynell, Capt.
Morgan, O.
Neville, R.
Nicholl, rt. hon. J. F.
Packe, C. W.
Peel, rt hon. Sir R.
Peel, J.
Pennant, hon. Col.
Pringle, A.
Protheroe, E.
Rice, E. R.
Rose, rt. hon. Sir G.
Rous, hon. Capt.
Rushbrooke, Col.
Russell, C.
Sanderson, R.
Shaw, rt. hon. F.
Sibthorp, Col.
Smith, A.
Somerset, Lord G.
Sotheron, T. H. S.
Stewart, J.
Sutton, H. H. M.
Tennent, J. E.
Trench, Sir F. W.
Trotter, J.
Turnor, C.
Waddington, H. S.
Walsh, Sir J. B.
Wellesley, Lord C.
Wood, Col.
Wood, Col. T.
Young, J.

TELLERS.

Freemantle, Sir T.
Baring, H.

List of the Noes.

Blake, M. J.
Blake, Sir V.
Blewitt, R. J.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Crawford, W. S.
Duncan, Viscount
Duncan, G.
Ebrington, Visct
Fox, C. R.
Gill, T.
Granger, T. C.
Hatton, Capt. V.
Hawes, B.
Hutt, W.

Mangles, R. D.
Marsland, H.
Morris, D.
Napier, Sir C.
Plumridge, Capt.
Roebuck, J. A.
Ross, D. R.
Stanton, W. H.
Thornely, T.
Wawn, J. T.
Wood, B.
Yorke, H. R.

TELLERS.

Hume, J.
Williams, W.

Vote agreed to.

The remainder of the Army Estimates were agreed to.

The House resumed.

Resolutions to be reported.—Committee to sit again.

REGISTRATION OF VOTERS.] On the Order of the Day for the Second Reading of the Registration of Voters Bill being read,

Sir *James Graham* said, that as he believed there would be no objection to the second reading of the bill, he should propose that the bill be now read a second time, and that the discussion be taken on going into the committee.

Colonel *Sibthorp* objected to proceeding with the bill so rapidly. He had not had time to read it, and he hoped the second reading would be postponed to a future day.

Sir *James Graham* explained, that the bill was very nearly the same as the bill he had introduced on the same subject last Session, with a view of calling the attention of the House to the subject early this Session. He hoped the hon. and gallant Member would not oppose the motion, and he would take care that the convenience of the House, and of the hon. and gallant Member should be consulted as to the time of going into committee.

Colonel *Sibthorp* would not oppose the second reading, but wished to know when the bill would be committed. He thought it should be postponed till after Easter.

Mr. *Bickham Escott* begged to suggest to the right hon. Baronet, that he should insert a clause in the bill to enable the revising barristers to give costs to parties against whom frivolous objections might be brought.

Bill read a second time.

NEW RATES (DUBLIN).] Lord *Eliot* moved for leave to bring in a

"Bill for the more equal applotment of certain rates in the county of the city of Dublin and county of Dublin respectively."

The noble Lord was understood to explain that the principal object of the bill was to substitute the valuation under the Poor-law for the present mode of rating.

Leave given.

House adjourned at a quarter before eleven.

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HANSARD'S PARLIAMENTARY DEBATES,

VOLUME LXVI.,

BEING THE FIRST VOLUME OF SESSION 1843.

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☞ *The * indicates that no Debate took place upon that Reading.*

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